

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18426 of 2022

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Anand Jee, Son of Jitendra Kumar Singh, Resident of Village- Sakaddi, Post
Office- Sakaddi, Police Station- Jalalpur, District- Saran.

... .. Petitioner/s

Versus

1. The Bihar Cricket Association through President 46, Patliputra Colony,
Police Station- Patliputra, District- Patna.
2. The President, Bihar Cricket Association, 46, Patliputra Colony, Police
Station- Patliputra, District- Patna.
3. The Secretary, Bihar Cricket Association, 46, Patliputra Colony, Police
Station- Patliputra, District- Patna.
4. The Committee of Management, Saran District Cricket Association,
Ramrajya Chowk, Dahiyawan, Chapra- 841301.
5. Sanjay Kumar Singh, the ex-President, Committee of Management Saran
District Cricket Association, Ramrajya Chowk, Dahiyawan, Chapra-
841301.
6. Indu Kumari, the President, Committee of Management Saran District
Cricket Association, Ramrajya Chowk, Dahiyawan, Chapra- 841301.
7. Amarnath Dubey, the Vice President, Committee of Management Saran
District Cricket Association, Ramrajya Chowk, Dahiyawan, Chapra-
841301.
8. Rajneesh Kumar Singh, The Secretary, Committee of Management Saran
District Cricket Association, Ramrajya Chowk, Dahiyawan, Chapra-
841301.
9. Chandan Kumar Sharma, the Joint Secretary, Committee of Management
Saran District Cricket Association, Ramrajya Chowk, Dahiyawan, Chapra-
841301.
10. Nilam Kumari, the Treasurer, Committee of Management Saran District
Cricket Association, Ramrajya Chowk, Dahiyawan, Chapra- 841301.
11. The District Sports Officer, Saran, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sarvadeo Singh, Advocate
For the Respondent/s	:	Mr. Raju Giri, Advocate
		Mr. Harsh Vardhan, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 17-08-2023



Heard Mr. Sarvadeo Singh, learned counsel appearing on behalf of the petitioner and Mr. Raju Giri, learned counsel representing the Bihar Cricket Association.

2. At the outset, learned counsel representing the Bihar Cricket Association raises the preliminary objection with regard to the maintainability of the present writ application in view of the judgment rendered by the learned Division Bench of this Court in the case of **Kumar Arvind Vs. The Bihar Cricket Association and others (C.W.J.C. No. 2809 of 2022)**.

3. Learned counsel for the petitioner submits that the Committee of Management, Saran District Cricket Association has been constituted in a most arbitrary and mechanical manner, the election of which has also been conducted by ignoring all norms, procedures and guidelines of Lodha Committee. Taking into consideration the irregularities/infirmities in constitution of the Committee, the District Sports Officer, Saran, Chapra has taken cognizance, but the respondent Bihar Cricket Association, who is competent body to look into the matter, is sitting tight over the matter.

4. In the aforesaid premise, the petitioner seeks quashing /dissolution of the election of the Committee of Management, Saran District Cricket Association, which was



held on 21.08.2022.

5. Having gone through the averments made in the writ petition, as also the submissions made on behalf of the learned counsel for the petitioner, *prima facie*, the matter relates to the affairs of the members of the Management Committee of a Cricket Association and any irregularity in constitution of the Management Committee is undoubtedly an outcome of internal dispute among the office bearers of the Association.

6. Needless to observe that no Rules or Regulation has been brought on record regulating the affairs of the office bearers and their right and entitlement. This Court has also gone through the judgment rendered by the Division bench, as referred hereinabove, and finds substance in the submission made on behalf of the learned counsel for the respondent Bihar Cricket Association, wherein the learned Division Bench of this Court has declined to entertain the writ petition under Article 226 of the Constitution of India after taking into consideration the nature of controversy, which was primarily an outcome of internal dispute among the office bearers of the Bihar Cricket Association lying within the realm of private law.

7. In view of the nature of the relief sought for in the present writ petition, as also the facts, circumstances and the



position obtaining in law, the present writ application invoking extraordinary jurisdiction under Article 226 of the Constitution of India is, *prima facie*, not maintainable.

8. However, the petitioner shall be at liberty to seek remedy under ordinary course of law before a court of competent jurisdiction or any other appropriate forum, as may be permissible to him.

9. Accordingly, the present writ application stands disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.08.2023
Transmission Date	NA

