



V/s.

The State of Maharashtra thorough ... Respondents
G.P. and Ors.

Mr. Shahed Ali Ansari for petitioner.

Ms. S.S. Bhende, AGP for respondent/State.

Ms. Prabha Badadare for respondent.

Mr. Prashant Chawan with Mr. Murari Madekar with Mr. Sachin Kudalkar I.by Ms. Madekar and Co. for respondent no. 2.

**CORAM : SUNIL B. SHUKRE &
FIRDOSH P. POONTIWALLA, JJ**

DATE : 11th OCTOBER 2023.

PC:

1. Heard learned counsel for the petitioner, learned AGP for respondent no. 1 and learned counsel for respondent no.2.
2. This petition basically challenges the dissolution of the Ad-Hoc Committee, which was constituted by the respondent no.2 for looking after the affairs of respondent no.4, which is the Beed District Football Association. The Ad-Hoc Committee was appointed by

respondent no.2 after it found that affairs of respondent no. 4 were not being managed properly and it was so constituted only as a temporary measure, with the petitioner as it's convener.

3. Learned counsel for respondent no.2 submits that when respondent no. 2 found, upon consideration of the material available before it, that the affairs of respondent no.4 were restored to their normalcy, it decided to dissolve the Ad-Hoc Committee and directed handing over of the charge of Association i.e. respondent no. 4 to it's Executive Committee and this was done by it's decision taken on 12th March 2022. He further submits that today the petitioner not being a member of present Executive Committee and the Ad-Hoc Committee having been dissolved, cannot participate in the election of the Executive Committee of respondent no.2 because the right of voting is restricted only to it's constituent District level associations like respondent no. 4.

4. Learned counsel for the petitioner submits that the basic decision of dissolving the Ad-Hoc Committee itself was illegal because, no enquiry whatsoever was conducted by respondent no. 2, nor any opportunity of hearing was granted to respondent no. 2. Learned counsel for the petitioner submits that there is a violation of

fundamental right of the petitioner as principles of natural justice have not been followed in the present matter.

5. We are not inclined to accept the submissions of learned counsel for the petitioner for the reason that there is no vested right in a Committee which has been appointed on ad-hoc basis to continue in office, by the very nature of its constitution. Such Committee is constituted only as a temporary measure to achieve a specific purpose and it comes into existence not through any democratic process but through an administrative decision of an Apex body, and, therefore, would acquire no right to continue in office even after the purpose for which it is constituted is over. Constitution of such a Committee itself is based upon certain needs which are required to be fulfilled by it in order to achieve a particular object and once that object is achieved, the need for existence of such a Committee gets over and the Committee has to be dissolved or otherwise, there would be a violation of the bye-laws of the Association and democratic principle by which such Associations are required to function. This is the reason why the Ad-hoc Committee has been dissolved here, and rightly so. Thus, we find that in a case like this, there is no question of following of natural justice principles. Rules of natural justice would apply only in a case

where there is a denial of a vested right or sinking of legitimate expectations. This is not a case where even some legitimate expectations are aroused by the action of respondent no. 2 and the petitioner has changed his position believing in them.

6. There is yet another aspect involved here which goes to the root of the matter. This petition challenging decision of respondent no. 2 to dissolve Ad-Hoc Committee has not been filed by all the seven members of the Committee but by just one member. The remaining six members or overwhelming majority of it have or has no objection, but the petitioner, in minuscule minority, has objection, and this makes the petition as not maintainable. At the cost of repetition, we must say that if the Ad-Hoc Committee has any grievance against the respondent no. 2 as regards its dissolution, that grievance has to be raised by Ad-Hoc Committee as such or any one of its members duly authorised in that regard by rest of the members, which authority is not present in the instant matter. So, we find that the petitioner has no authority to question the decision of respondent no. 2 regarding dissolution of the Ad-Hoc Committee. We also find that for these very reasons, the petitioner has no locus standi to participate in the election of the Executive Committee of respondent no. 2.

7. In the result, we find no merit in this petition. The petition stands dismissed.

8. We make it clear here that this Court has not examined the other important aspect of maintainability of this petition seeking a mandamus against an entity like the respondent no. 2, which can possibly be treated like a private person and this question is kept open for it's appropriate determination in appropriate proceedings.

(FIRDOSH P. POONTIWALLA, J)

(SUNIL B. SHUKRE, J)