

04.01.2024

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PG/KS

Ct. No.1

**W.P.A.(P) 607 of 2023**  
**Neel Chakraborty**  
**Versus**  
**The Union of India & Ors.**

Mr. Brajesh Jha

Mr. Rishav Kumar Thakur

Ms. Megha Datta

.....for the petitioner

Mr. Asok Kumar Chakraborty,

(Ld. Addl. Solicitor General.)

Mr. Arijit Majumder

.....for the U.O.I.

Mr. Sumitra Das

.....for the respondent no.6

Ms. Ujjaini Chatterjee

.....for the respondent nos.3 and 4

1. By this public interest litigation, the petitioner, who is an individual stated to be a lover of the game of chess, seeks for a direction to suspend the general body of All India Chess Federation and place an administrator and appoint an individual Central organization for the audit of the funds of the All India Chess Federation. There are other prayers sought for, which are incidental and ancillary to the said relief.
2. We find that none of the respondents against whom the relief has been sought for are within the jurisdiction of this Court. It is pointed out by the learned advocate appearing for the private respondents that in terms of the bye-laws of the All India Chess Federation, which is a society registered under the Societies Registration Act, the competent Court in New Delhi have the

exclusive jurisdiction to hear and decide any and all cases against the All India Chess Federation and no legal proceeding can be instituted in any other jurisdiction other than New Delhi.

3. To be noted that a suit was filed before the Civil Judge (Senior Division), 4<sup>th</sup> Court, Alipore in Title Suit No.600 of 2021. The plaintiff in the suit was a registered organization under the West Bengal Societies Act and it regulates all the activities relating to chess within the State of West Bengal. The said organization was affiliated to the All India Chess Federation, the parent body of the chess in India and on account of disaffiliation, the suit was filed. The learned Trial Judge by an elaborate order dated 15<sup>th</sup> December, 2021 after considering the bye-laws of the All India Chess Federation had held that the Court does not have jurisdiction and the plaint has been returned to be filed before the appropriate Court of law as prescribed under bye-law 26(g) of the bye-laws of the All India Chess Federation.
4. Considering these factors, this writ petition is not maintainable before this Court and accordingly, the same stands dismissed.
5. However, this order will not prevent the petitioner from approaching the appropriate forum in accordance with law.

6. We make it clear that we have not gone into the merits of the matter and it will be well open to the petitioner to urge all grounds before the appropriate forum, if so advised.
7. No Costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

**( T.S SIVAGNANAM)**  
**CHIEF JUSTICE**

**(SUPRATIM BHATTACHARYA, J.)**