Before Ombudsman, Bihar Cricket Association

Nawal Kishore Singh (Retd. District Judge)

Bihar Cricket Association

BCA/Ombudsman/10 of 2024

Gunjan Kumar s/o Sri Gajendra Kumar, r/o Binda Bhawan, New Punai Chak, Near Pump House, P.S.-Shastri Nagar, Distt- Patna-800023 presently President of Bata C.C. under Patna District Cricket Association.

.....Petitioner

Versus

1. **The Bihar Cricket Association through its Secretary having its office at 45/C, Patliputra Colony, P.S.-Patliputra, District-Patna.**
2. **The Secretary, Bihar Cricket Association having its office at 45/C, Patliputra Colony, P.S.-Patliputra, District-Patna.**

.....Respondents

ORDER

Sl. No. 6

04.03.2025

Heard.

Sri Sanjay Sinha, Learned Advocate appeared on behalf of the petitioner and Sri Sourav Suman appeared on behalf of the Respondents i.e. Bihar Cricket Association.

The present petition has been filed on behalf of the petitioner for the following reliefs :-

i. That, Bihar Cricket Association may be directed to publish the result of the election of the office bearers of Patna District Cricket Association duly held on 17/11/2023.

ii. For holding that the decision of the Bihar Cricket Association dissolving the duly elected committees of the Patna, District Cricket Associations of Nalanda, Arwal, Begusarai, Aurangabad, Khagaria, Banka, Vaishali, East Champaran, Lakhisarai, Madhubani and constitution of Ad-hoc Committee in its place to be illegal as the BCA cannot dissolve a duly elected committee of the District Cricket Association.

iii. For holding that the decision of the BCA regarding dissolution of duly elected committees of the Patna, District Cricket Associations of Nalanda, Arwal, Begusarai, Aurangabad. Khagaria, Banka, Vaishali, East Champaran, Lakhisarai, Madhubani to be arbitrary and liable to be set aside.

iv. For restoration of the duly elected committees of the Patna, District Cricket Associations of Nalanda, Arwal, Begusarai, Aurangabad, Khagaria, Banka, Vaishali, East Champaran, Lakhisarai, Madhubani for their remaining period of tenure or as the Bye laws/Constitution provides.

v. For setting aside the decisions of the BCA whereby certain office bearers and functionaries of the District Cricket Association or Bihar Cricket Association, namely Ajay Narayan Sharma, Ravi Shankar Prasad Singh, Trivikram Narayan Singh, Dr. Sanjeev Kumar etc. have been debarred from holding all posts in the District Cricket Association or Bihar Cricket Association for a period of six years.

vi. For setting aside the decisions of the BCA whereby certain office bearers of the DCAs and BCA like Sanjay Kumar, Amit Kumar etc have been debarred from their elected office and cricketing activities in arbitrary manner.

vii. For any other direction which your Honour may deem fit and proper in the facts and circumstances of the case.

A detailed counter affidavit has been filed on behalf of Bihar Cricket Association. The petitioner fairly submits that although this petition was filed for reliefs discussed hereinabove, but since he is completely satisfied from the action taken by the Bihar Cricket Association. His only grievance upon which he seeks adjudication by this Forum is that election of District Cricket Associations of Banka, Lakhisarai and Arwal be held at the earliest. Upon the grievances raised by the petitioner, the learned Counsel for the Bihar Cricket Association has fairly submitted that elections to the above mentioned three District Cricket Association would be held as per the constitution of the Bihar Cricket Association, which stipulates that elections must take place within 45 days.

The petitioner also seeks unqualified apology for raising the issue of disgruntled and anti-association elements like Amit Kumar, Ravi Shankar Prasad Singh, Ajay Narayan Sharma, Trivikram Narayan Singh, Dr. Sanjeev Kumar etc. who had misled the petitioner to raise issues regarding them.

The petitioner further states that his only intention is that functioning of the Bihar Cricket Association should be just and proper so he approached this Forum. After going through the counter affidavit of the Bihar Cricket Association, the petitioner is of the opinion that the action of the Bihar Cricket

Association does not suffer from any illegality, hence he has no grievances against the Bihar Cricket Association for the present. He however, seeks permission of this Forum to raise such issues for the betterment of the cricketing activity in Bihar without keeping any ill will against anyone. He is only playing the role of a whistle blower.

In view of the submissions of the learned Counsels for the parties, the Bihar Cricket Association is directed to initiate the election process at the earliest and which should be concluded within 45 days from communication of this order. The Bihar Cricket Association is further directed to hold elections in every such district where the Ad-hoc Committee/Committees are functioning. It is also made clear that before initiation of election process, certain preparations like finalization of Voter List and other preparations are to be made so, this Forum is taking liberal view so that the Bihar Cricket Association may have sufficient time to initiate the election process which must conclude within time stipulated under the Constitution of Bihar Cricket Association. The Bihar Cricket Association runs on the democratic values so its proper up-keep must be maintained. With this hope and expectation this petition is disposed of. However, the petitioner or other whistle blowers are given liberty to approach this Forum as and when required.

Inform to all concern.

(Nawal Kishore Singh)

Ombudsman

Bihar Cricket Association