
(2020) 02 RAJ CK 0283
In the Rajasthan High Court
Case No : Civil Writ Petition No. 2254 Of 2020

Alok Phophaliya

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 14-02-2020

Acts Referred:

Citation : (2020) 02 RAJ CK 0283

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Advocate : Mukesh Vyas

Final Decision : Dismissed

Judgement

This writ petition has been filed by the petitioner seeking a direction to allow the petitioner's son to participate in the selection process of Under-14

cricket team for 65th National Sports Competition.

It is submitted by learned counsel for the petitioner that son of the petitioner was selected in the Under-14 cricket team for partition in 64th State

Level Competition from Jodhpur district. However, as two players in the team were overage, the team was withdrawn from tournament, resulting in

petitioner's son and other eligible members of the team being deprived of participation for no fault of theirs.

It is submitted that now the trial for participation in the 65th National School Games for selection of cricket team is being held on 14th & 15th

February, 2020 at Udaipur and 25 students have been called for the trial, however, despite being capable, only on account of the fact that the

petitioner's son could not participate in the State Level Tournament, on account of withdrawal of the team, he has not been called for the trial.

Submissions have been made that in case petitioner's son cannot participate in the trial now, he would become over age and would be deprived for

all times to come despite being capable. It was also emphasized that the selection would be based on performance at the trial and in case

petitioner's son is able to perform then only he would be selected and, therefore, the respondents may be directed to permit petitioner's son to participate in the trial.

I have considered the submissions made by learned counsel for the petitioner and have perused the material available on record.

The submissions made though are apparently justified on account of son of the petitioner being deprived of the participation in the State Level

Tournament and consequently in the trial for National Level Tournament and possibly at National Level also, however, the fact remains that the entire

team from Jodhpur could not participate and only 25 candidates from all the teams all over the State, who had participated in the State Level

Tournament have been called for the trial and, therefore, directing the respondents to permit the petitioner's son to participate in the trial would

essentially be discriminatory to rest of the team members of the petitioner's son, who have not approached this Court and in fact even qua those

who had participated in the State Level Tournament and could not make it to/get selected for the trial.

It was submitted by learned counsel for the petitioner that as the petitioner has filed the petition it cannot be said that there would be a discrimination

qua the other members of the team. The submission made has no substance, inasmuch as, merely because petitioner has chosen to file the writ

petition cannot be a reason for his son getting premium over his other team mates, inasmuch as, even this is not known as to whether within his own

team, he is the best player.

In view of the above discussion, the directions as sought by the petitioner cannot be granted. The petition has no substance, the same is, therefore,

dismissed.