
(2022) 10 OHC CK 0110
In the Orissa High Court
Case No : Writ Petition (C) No.26392 Of 2022

Prabhudatta Dalal

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 20-10-2022

Acts Referred:

Citation : (2022) 10 OHC CK 0110

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : Manoj Kumar Mohanty, S. Pattanaik, P.P. Behera, J. Pal

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Mohanty, learned advocate appears on behalf of petitioner and submits, prayer is for direction upon opposite party nos.3 and 4 to amend the bye-law, i.e. Memorandum of District Cricket Association, Boudh on basis of amendment to Memorandum of Association of Odisha Cricket Association. There is consequential prayer. He relies on judgment of the Supreme Court in BCCI v. Cricket Association of Bihar, reported in (2018) 16 SCC 35. He demonstrates from order dated 23rd August, 2017 having separate reference report (2018) 16 SCC 40 that on 24th July, 2017, inter alia, a direction was made as reproduced below.

"(c) All concerned shall implement the recommendations of the Justice Lodha Committee Report as far as practicable, barring the issues which have been raised pertaining to membership, number of members of the selection committee, concept of associate membership, etc. The purpose is to implement the report as far as practicable and, thereafter, it shall be debated as to how the scheme of things can be considered so that cricket, the "gentleman's game", remains nearly perfect. Be it noted, the issue with regard to disqualification or qualification of the representative is kept open."

It follows that upon there having been implementation of concerned recommendation of the Lodha Committee by amendment of State bye-laws, there has also to be corresponding amendment to the District bye-laws.

2. Mr. Pal, learned advocate appears on behalf of the District Association. Mr. Behera learned advocate appears on behalf of the State Association and Ms. Pattanaik, learned advocate, Additional Government Advocate for State. Mr. Mohanty disputes Mr. Pal's client is the District Association.

3. Petitioner will render assistance by producing relevant pages from Lodha Committee report requiring amendment to the bye-laws. Thereupon petitioner will demonstrate from amendment caused to the State Association bye-laws for issuance of direction upon the District Association. The pages to be produced must be circulated, in advance, to appearing opposite parties.

4. List on 28th October, 2022.

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