

AMATEUR KABADDI FEDERATION OF INDIA (AKFI)

Registered under Societies Registration Act (723/1975)

Justice (Retd.) S. P. Garg
Administrator/President

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REPRESENTATION BY WEST BENGAL KABADDI ASSOCIATION (WBKA) FOR PARTICIPATION OF ITS PLAYERS IN THE UPCOMING CHAMPIONSHIP AT AYODHYA, UTTAR PRADESH

ORDER

1. Vide order dated 09.04.2021 in C.M. Appl. 9712/2021 in W.P. (C) 12776/2019 titled “West Bengal Kabaddi Associates v. Amateur Kabaddi Federation of India”, the Hon’ble Delhi High Court, while disposing of the said applicaiton, was pleased to permit the petitioner to make a representation for participation in the tournament to be held from 13th April, 2001 to 16th April, 2021 at Ayodhya, Uttar Pradesh.
2. Vide letter dated 09.04.2021 received on e-mail, Mr. Bishwanath Ghosh, Hony. General Secretary stated as under:

**Sub: Permissilon for Registration of Players and submission of Entry Form to
Participate In the 68 Senlor National Kabaddi Championship at Ayodhya, UP**

Respected Sir.

We like to draw your kind attention that as per the Order of Hon'ble Delhi High Court against our Petition CM no 9712 of 2021 in Writ Petition (Civil) No 12776 of 2019 You are requested to allow WBKA to register the names of Players through online system and submitting Online Entry to AKFI Website as per your Instruction Ref. No AKFI/NC-M&W dated 26.02.2021 by Mr. Deoraj Chaturvedi, Assistant Secretary, AKFI by 11.04.2021 for participation in the coming Senior National Kabaddi Championship-Men.

Hope you will take appropriate steps to allow us (WBKA) to participate in the abovementioned Championship as per the Direction of the Hon'ble Delhi High Court dated 09.04.2021. We are waiting for your early reply. Please communicate us with the following email address as our official email address is presently out of functioning due to some disturbance in the device.

Thanking you

Yours faithfully

Date -09.042021

(Biswanath Ghosh)
Hony. General Secretary
West Bengal Kabaddin Association

3. The applicant was requested to place on record copy of the order of the Hon'ble High Court as counsel for AKFI had informed that the Hon'ble High Court had permitted the petitioner to file representation before the Administrator only. Thereafter, vide e-mail dated 10.04.2021 received at 7:58PM, Mr. Bishwanath Ghosh, General Secretary, sent the following representation:

“In accordance with the Order of Honourable Delhi High Court dated 09-04-2021 to submit a representation on behalf of West Bengal Kabaddi Association for consideration of participation in the ensuing Senior National Kabaddi Championship-Men scheduled to be held on 13 to 16 April 2021 at Ayodhya, U.P We hereby submit our representation to your consideration on behalf of West Bengal Kabaddi Association. We will abide by all the rules and regulations made by AKFI. Please allow us to register the names of the players on behalf of West Bengal Kabaddi Association and send the Entry form with your Website through on online system. Hope you will consider the prayer.”

4. To afford an opportunity of being heard, hearing was fixed through VC on 11.04.2021 at 10:00AM. Mr. Suranjan Bhattacharya participated on behalf of the petitioner.

5. I have heard the petitioner on the representation and have examined the file.

6. At the outset, it may be mentioned that vide e-mail dated 09.04.2021 (reproduced above), the petitioner misquoted the directions issued by the Hon'ble High Court in its order dated 09.04.2021. When Mr. Suranjan Bhattacharya was confronted during hearing, he submitted that it was due to inadvertance.

7. The petitioner urged that the players selected by the petitioner be permitted to participate in the Championship at Ayodhya. He informed that earlier also in 2016, the players selected by the petitioner were permitted to participate in the Junior Championship by the Civil Court at Calcutta.

8. On perusal of the record, it reveals that the petitioner is not the affiliated unit of AKFI. The affiliation of the petitioner was discontinued in 10.02.2001. Several civil suits are pending between the parties at the Civil Courts at Kolkatta. However, no favourable order in favour of the petitioner regarding affiliation to AKFI has been passed so far. Amateur Kabaddi Federation of India West Bengal State Unit (AKFIWBSU) continues to be the affiliated unit of AKFI till date. The players selected by the affiliated unit have been permitted to participate in the Championships.

9. It is relevant to note that earlier objections were invited from all concerned regarding the nomination filed by the office bearers of the affiliated units for formation of Electoral College. At that time, Mr. Shyambal Kumar Basu, General Secretary, Bengal Amateur Kabaddi Association (BAKA) and Mr. Sajal Ghosh, Hony. General Secretary, West Bengal Kabaddi Association (WBKA) had filed objections. Both the said associations, BAKA and WBKA had claimed themselves to be the genuine associations to be affiliated with AKFI. Vide detailed order dated 23.01.2019, the objections filed by both the said associations were dismissed. Nothing has been produced on record if the said order has been challenged by the petitioner. It transpired that the two associations were having dispute among themselves and were involved in civil cases before the courts at Kolkata.

9- 10. Since the petitioner is not the affiliated unit of AKFI, the players selected by it can't be permitted to participate in the National Championship. There can't be two different teams from the same State, one by the affiliated unit and the other by the non-affiliated one to participate in the same National Championship. It is seen that when the Championships are intended to be held, several rival/parallel associations come forward for participation of their players in the championships at the eleventh hour. All the arrangements have already been made by the Organizing Committee at Uttar Pradesh. No valid reasons have been furnished by the petitioner as to why no such permission was sought for participation of its players after 2016.

11. Considering the facts and circumstances, the representation filed by the petitioner can't be allowed, and is dismissed.

Dated: 11.04.2021


Justice (Retd.) S. P. Garg
Administrator/President