

ITEM NO.301

COURT NO.2

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

I.A. No.53/2017 in Civil Appeal No.4235/2014

BOARD OF CONTROL FOR CRICKET

Appellant(s)

VERSUS

CRICKET ASSOCIATION OF BIHAR & ORS.

Respondent(s)

(With appln. (s) for impleadment and directions and intervention and modification of Court's order and permission to implead the name of applicant and recalling the Court's order )

Date : 10/04/2017 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

Mr. Gopal Subramaniam, Sr. Adv., A.C.  
Mr. Santosh Krishnan, Adv.  
Mr. Ankur Kashyap, Adv.  
Mr. Pavan Bhushan, Adv.

For Appellant(s) Mr. Chandra Uday Singh, Sr. Adv.  
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Mr. Adarsh Saxena, Adv.  
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for M/s. Cyril Amarchand Mangaldas

Mr. Gagan Gupta, AOR

Mr. Vikas Mehta, AOR  
Mr. Rajat Sehgal, Adv.  
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Mr. Jayant Bhushan, Sr. Adv.

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Mr. Abhinnav Agrawal, Adv.

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Mr. E. C. Agrawala, AOR

Mr. Raghavendra S. Srivatsa, AOR

Mr. B.K. Sampath Kumar, Adv.

Mr. Balaji Srinivasan, AOR

Mr. Abhishek Bharti, Adv.

Ms. Vaishnavi Subrahmanyam, Adv.

Ms. Pratiksha Mishra, Adv.

Ms. Srishti Govil, Adv.

Mr. Mayank Kshirsagar, Adv.

Mr. Anish R. Shah, AOR

Mr. Maninder Singh, ASG

Ms. Diksha Rai, Adv.

Mr. R. Balasubramoniam, Adv.

Mr. Akshay Amritanshu, Adv.

Mr. Rohit Rathi, Adv.

Mr. Mukesh Kumar Maroria, AOR

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Mr. Praveen Swarup, AOR

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Mr. Anshuman Ashok, AOR

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Mr. K. K. Mohan, AOR

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Mr. Rajiv Nanda, AOR

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Mr. Hari Shankar K., AOR

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Mr. Rahul Pratap, AOR

Mr. Mishra Saurabh, AOR

Mr. Deeptakirti Verma, AOR

Mr. M. Yogesh Kanna, AOR

Mr. Vikas Singh Jangra, AOR

Ms. Tamali Wad, AOR

Ms. Pooja Dhar, AOR

Mr. Gaurav Kejriwal, AOR

Mr. Aditya Soni, Adv.

Mr. R.P. Goyal, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

I.A. No.53/2017 in CA No.4235/2014

This is an application for modification/rectification of the order dated 24.3.2017. Vide order dated 24.3.2017, this Court had permitted the "Pondicherry Cricket Association" to submit a representation to the Committee of Administrators with a stipulation that the said representation shall be decided by the Committee within four weeks therefrom.

It is submitted by Mr. Jayant Bhushan, learned senior counsel appearing for the applicant that the description to the effect "Pondicherry Cricket Association", had been wrongly mentioned and it should be "Cricket Association of Pondicherry". Regard being had to the said submission, the earlier order is rectified to the effect that the "Cricket Association of Pondicherry" is granted liberty to submit a representation to the Committee within two weeks from today which shall be considered by the Committee of Administrators within two weeks from the receipt of the representation.

The I.A. stands disposed of.

CA No.4235 of 2014

The Committee of Administrators has submitted its third report dated 6.4.2017. It has prayed for clarification and sought the following directions :-

- (a) issue appropriate directions relating to whether the First FAQs and the Second FAQs (especially FAQ No. 2 of the Second FAQs) from part of the reforms that the Committee of Administrators is required to implement;
- (b) issue appropriate directions relating to whether persons who are disqualified from being office bearers of a State Association are nevertheless entitled to attend any Special General meeting or Annual General Meeting of the BCCI as nominees/representations of a State Association;
- (c) issue appropriate directions relating to whether persons who are disqualified from being office bearers of the BCCI may nevertheless be appointed to represent the BCCI at the International Cricket Council;
- (d) issue appropriate directions regarding whether State Associations that have not complied with the orders dated October 7, 2016 and October 21, 2016 passed by this Hon'ble Court are nevertheless entitled to participate in any Special General Meeting or Annual General Meeting of the BCCI and send their nominees/representatives to attend the same; and
- (e) pass such other or further orders as this Hon'ble Court deems appropriate in the facts and circumstances."

It is submitted by Mr. C.U. Singh, learned senior counsel appearing on behalf of the Committee of Administrators which includes CEO of the BCCI that the Committee requires directions of this Court whether any one who is not eligible by virtue of his age or other disqualifications that have been postulated by the principal judgment of this Court can be nominated by the BCCI to ICC or by the State Associations. This is a matter to be debated.

It is also accepted by Mr. Gopal Subramonium, learned *Amicus Curiae* that the matter can be posted some time before the ICC meets so that the controversy is put to rest.

Having heard learned counsel for the parties, we direct that the matter be listed at 3.00 p.m. on 17.4.2017.

If any meeting is held in the meantime, needless to say, it shall be subject to our further adjudication on the prayer or directions made by the Committee of Administrators.

(Gulshan Kumar Arora)  
Court Master

(H.S. Parasher)  
Court Master