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सही पन्ना प्रतिलिपि लिखनीं
 पत्र सं. 11273 में काम किया
 दिनांक 28/1/83
 6/5/83
 प्रशासक
 राज्यपाल

AMENDED CAUSE TITLE

IN THE HIGH COURT OF JUDICATURE FOR
RAJASTHAN AT

JAIPUR BENCH, JAIPUR

S.B CIVIL WRIT PETITION NO. 8699/2020

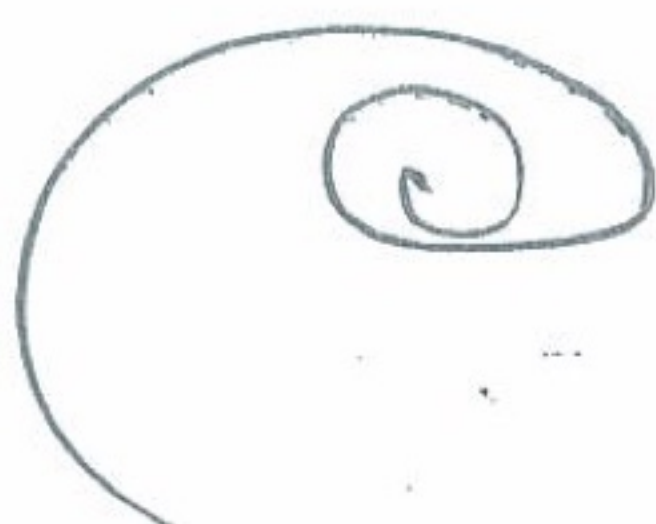
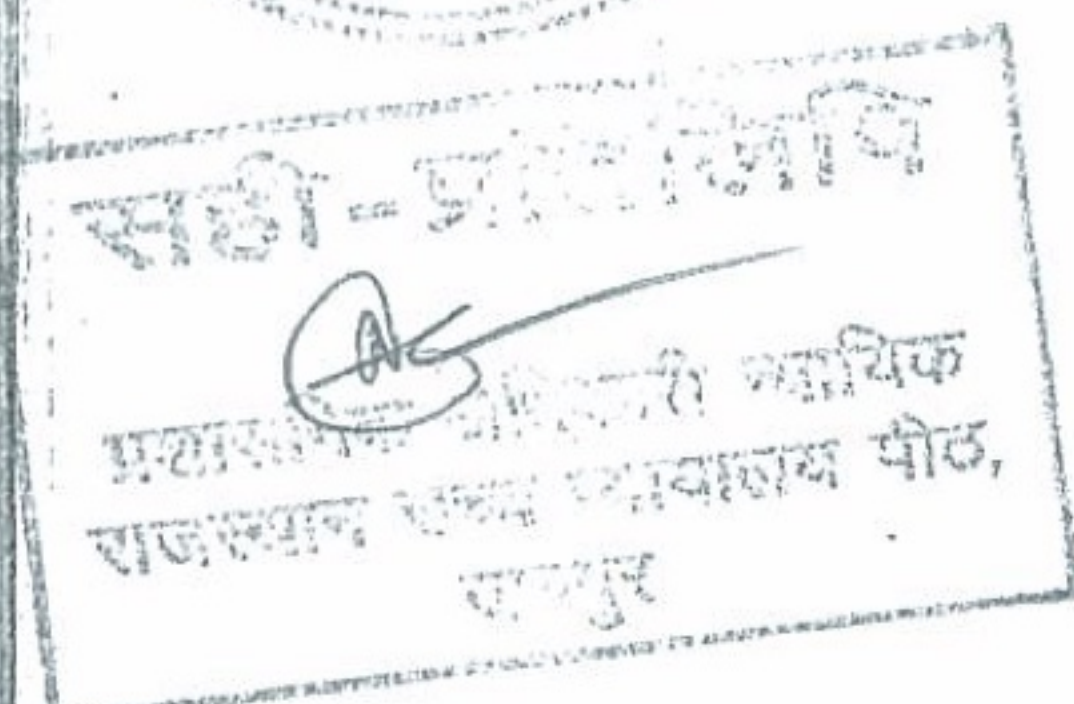
1. Jaipur District Athletic Association, through its Hony. Secretary, Virendra Singh Poonia aged 48 years son of Shri Ved Prakash, resident of E-4, Road No. 2 Ganpati Nagar Railway Colony, Jaipur
2. Virendra Singh Poonia aged 48 years son of Shri Ved Prakash, resident of E-4, Road No. 2 Ganpati Nagar Railway Colony, Jaipur
3. Rajabala Saini, aged 52 years wife of Shri Mahaveer Prasad Saini, President, Jaipur District Athletic Association, resident of Plot No. 100-A, Dispensary Road, Barkat Nagar, Jaipur

.....Petitioners

Versus

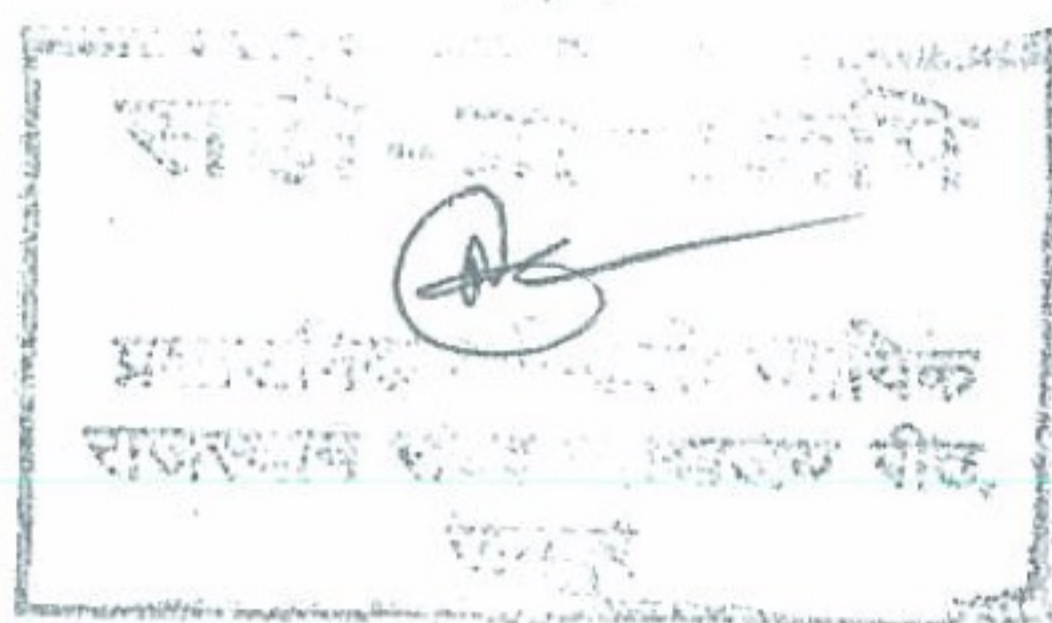
1. Rajasthan Athletic Association, through its acting Hony Secretary Shri Surendra Singh Gurjar, Rabriya Meyo Link Road, Ajmer (Rajasthan)
2. Shri Shakeel Ahmad, Election Officer, Rajasthan Athletic Association, Hotel Data In, Shri Nagar Road, Ajmer (Rajasthan)

GAUTAM RAJ JAIN
OATH COMMISSIONER
RAJASTHAN HIGH COURT BENCH
JAIPUR



3. The Registrar, Co-Operative Societies, Rajasthan,
Sahakar Bhawan, 22 Godown Circle, Jaipur
4. Rajasthan State Sports Council, through its
Secretary, SMS Stadium, Jaipur
5. Jhunjhunu District Athletic Association through its
president Man Singh Shekhawat, aged 59 years,
Son of Shri Richhpal Singh Shekhawat, Resident
of B-43, Nityanand nagar, Vaishali Nagar, Jaipur
6. Barmer District Athletic Association through its
Secretary Devaram Chaudhary, aged 48 years,
Son of Shri Jagram Chaudhary, resident of Baldeo
Nagar, Barmer (Rajasthan)
7. Jodhpur District Athletic Association through its
Secretary, Shabbir Hussain aged 64 years Son of
Shri Mahmood Bux, Resident of 12 Sakina Colony,
Shiwanchi Gate, Jodhpur (Raj.)

..... Respondents



GAUTAM RAJ JAIN
OATH COMMISSIONER
RAJASTHAN HIGH COURT BENCH
JAIPUR




HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 8699/2020

1. Jaipur District Athletic Association, Through Its Hony. Secretary, Virendra Singh Poonia aged 48 years son of Shri Ved Prakash, resident of E-4, Road No.2 Ganpati Nagar Railway Colony, Jaipur.
2. Virendra Singh Poonia aged 48 years son of Shri Ved Prakash, resident of E-4, Road No.2 Ganpati Nagar Railway Colony, Jaipur.
3. Rajabala Saini, aged 52 years wife of Shri Mahaveer Prasad Saini, President, Jaipur District Athletics Association, Resident Of Plot No. 100-A, Dispensary Road, Barkat Nagar, Jaipur.

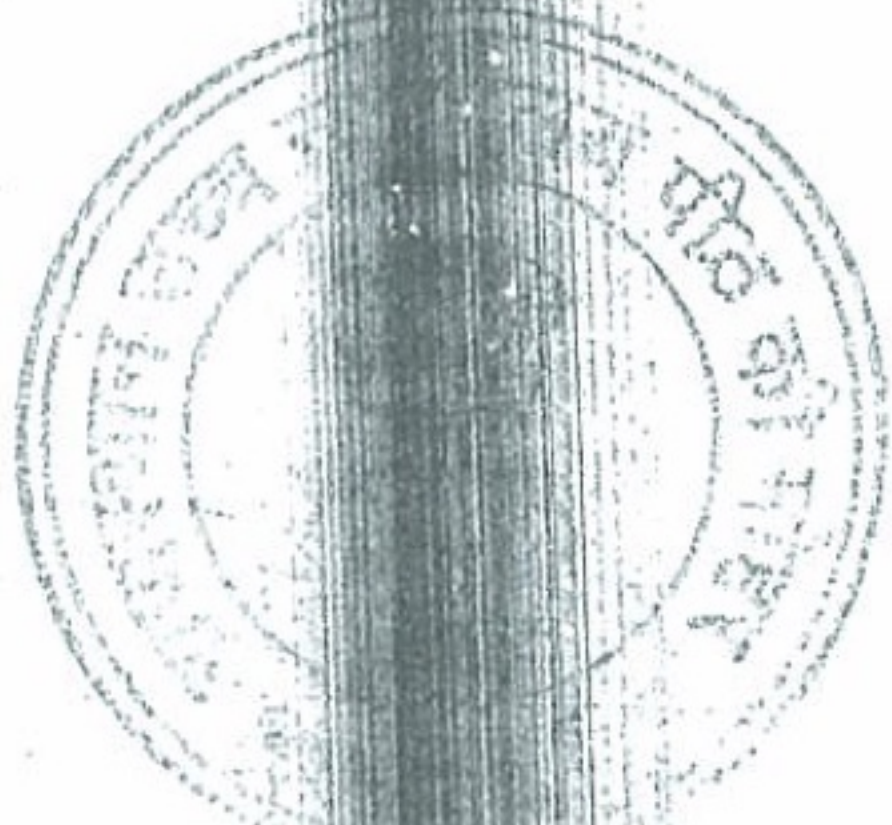
----Petitioners

Versus

1. Rajasthan Athletic Association, Through Its Secretary Shri Promod Jadam, Rabriya Meyo Link Road, Ajmer (Rajasthan).
2. Shri Shakeel Ahmad S/o Not Known, Election Officer, Rajasthan Athletic Association, Hotel Data In, Shri Nagar Road, Ajmer (Rajasthan)
3. The Registrar, Co-Operative Societies, Rajasthan, Sahakar Bhawan, 22 Godown Circle, Jaipur.
4. Rajasthan State Sports Council, Through Its Secretary, Sms Stadium, Jaipur.
5. Jhunjhunu District Athletic Association through its president Man Singh Shekhawat, aged 59 years. Son of Shri Richhpal Singh Shekhawat, Resident of B-43, Nityanand Nagar, Vaishali Nagar, Jaipur.
6. Barmer District Athletic Association through its Secretary Devaram Choudhary, aged 48 years, son of Shri Jagram Chaudhary, resident of Baldeo Nagar, Barmer (Raj).
7. Jodhpur District Athletics Association through its Secretary, Srabbir Hussain aged 64 years son of Shri Mahmood Bux, Resident of 12 Sakina Colony, Shiwanchi Gate, Jodhpur (Raj.)

----Respondents

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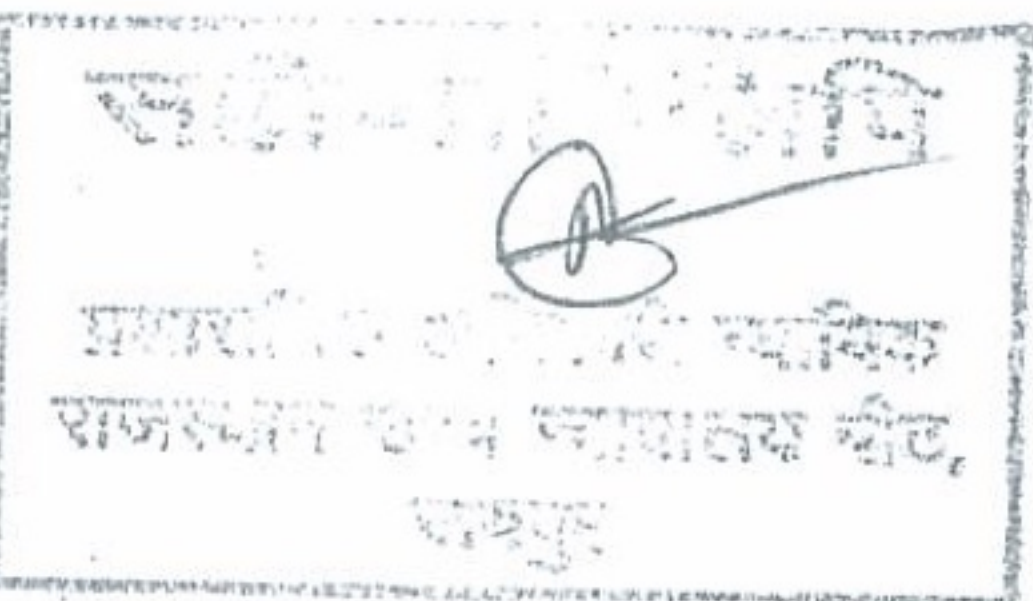
For Petitioner(s) : Mr. Sandeep Singh Shekhawat
 For Respondent(s) : Mr. Peush Nag, Mr. J.P. Gupta,
 Mr. Ajay Rajawat for Mr. S.S. Faghav,
 AAG,
 Mr. Sumit Kumar Jain,
 Mr. Dharam Veer Tholia,
 Mr. Himanshu Tholia,

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

21/04/2023

1. The instant writ petition has been filed by the petitioner-Association to issue directions to the respondents for appointment of a transparent/independent person as an Election Officer to conduct the elections of the Executive Committee of respondent No.1-Association.
2. Counsel for the petitioner submits that the respondents have amended their Bye-laws and as per the amended Bye-laws, the complete structure of the Executive Committee of respondent No.1-Association has been changed, and therefore, fresh election process is to be started, in accordance with the amended Bye-laws.
3. Counsel for the petitioner further submits that in case the respondents starts fresh election process as per the amended Bye-laws, the earlier election Officer may not be appointed.
4. Counsel for respondent No.1-Association did not dispute this fact that the by-laws have been amended whereby the complete structure of the executive committee of respondent No.1-Association has changed. He further submits that they will hold the fresh election process and they will not appoint the earlier



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Election Officer as Election Officer while conducting the fresh election process.

5. Counsel appearing for respondent No.2-Shakeel Ahmad, who was earlier Election Officer, states that he is not willing to be appointed as Election Officer in the fresh election process.

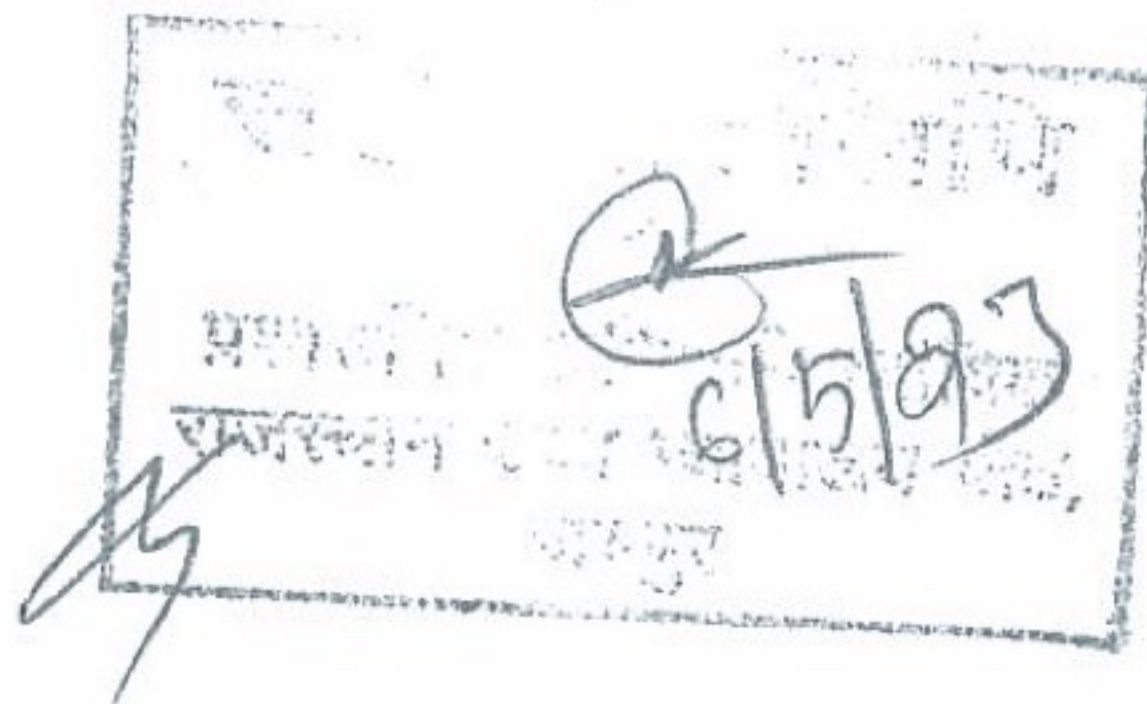
6. Counsel appearing for the other respondents also submit that they have no objection, if respondent No.1-Association starts fresh election process, as per the amended Bye-laws.

7. In view of the submissions and the statements of the counsel for the respective parties, this writ petition is disposed of with the liberty to respondent No.1-Association to hold fresh election process as per amended by laws.

8. Since the main writ petition has been disposed of, the stay application and pending application stand disposed of.

(GANESH RAM MEENA), J

Pcg/24



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सही फना प्रतिलिपि आकरण
 पत्र सं. 11273 में काम आया
 दिनांक 28/4/23
 6/5/23
 प्रशासक, न्यायिक प्रशासन विभाग
 राजस्थान हाई कोर्ट, जयपुर

574/4
IN THE HIGH COURT OF JUDICATURE FOR RAJASHTHAN AT
JAIPUR BENCH, JAIPUR

S. B. Civil Misc. Application No.) / 2023

In

S. B. CIVIL WRIT PETITION NO. 8699 / 2020

Jaipur District Athletic Association and another
.....Petitioners

VERSUS

Rajasthan Athletic Association and others
..... Respondents

APPLICATION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA READ WITH ORDER 22 RULE 10
READ WITH ORDER 1 RULE 10 CPC, FOR SUBSTITUTION
OF THE PARTIES AND FOR TAKING SUBSEQUENT
EVENTS ON RECORD.

To,
The Hon'ble Acting Chief Justice
and his other companion Judges
of the high Court of judicature for Rajasthan
at Jaipur Bench, Jaipur.

May It Please Your Lordships,

On behalf of the Petitioner association the application for
substitution of Parties and for substituting the name of Hony.
Secretary of Petitioner No. 1 Association in the array of the
petitioners, is submitted as under :-

Bzaini
President
District Athletic Association Jaipur

GAUTAM RAJ JAIN
CATE COMMISSIONER
RAJASTHAN HIGH COURT, BENCH
JAIPUR.



राजस्थान उच्च न्यायालय
प्रशासनिक अधिकारी कार्यालय
जयपुर

G/R
T. K. Jaiswal
4/1/23
Prashant Jaiswal
(Adv)

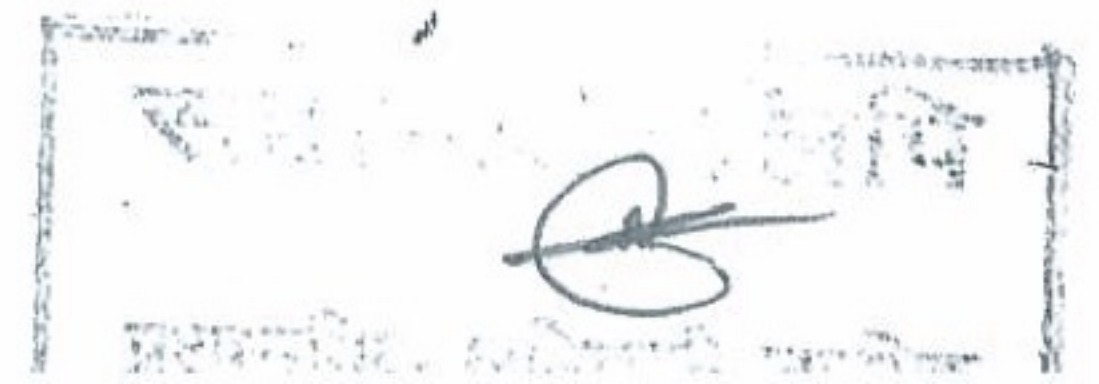
Mr. Jaiswal
4/1/23

①

1. That the above writ petition has been filed by the Jaipur District Athletic Association (hereinafter JDAA), assailing the illegal election process undertaken by the Respondent No. 1 and 2 for the periodical elections of the Executive Committee of the RAA, by the Petitioner No.1 association through Petitioner No.3, the applicant/ the then Convener of the Ad hoc Committee.
2. That it is submitted that petitioner no. 1 is a duly registered District Level Sports Association registered under the provision of the Rajasthan Sports (Registration, Regulation and Recognition of Associations) Act, 2005 (hereinafter Act of 2005) and a duly affiliated member of the Respondent No. 1 association.
3. That it is submitted that vide order dated 13-03-2020 the competent authority, the Registrar, Societies Jaipur dissolved the then Executive Committee and after holding an enquiry, appointed an Ad-hoc Committee and directed it to hold fresh elections of the Executive Committee of the JDAA within a period of three months.
4. That in the mean time Respondent No. 1 vide communication dated 22-07-2020 declared the elections of the Executive Committee of the Respondent No. 1 (State

B. Jain
President
District Athletic Association Jaipur

GAUTAM RAJ JAIN
D.A.T. CONVENER
JAIPOUR



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Level Sports Association), scheduled to be held on 16-08-2020.

- 5. That it is submitted that during the validity period of the Ad-hoc Committee, national level lockdown was declared, consequently the statutory time period was extended by the competent Authority. The Ad hoc Committee discharged its legal obligation and cured the irregularities / illegalities committed by the dissolved Executive Committee and got conducted impartial and independent elections of the Executive Committee of the JDAA, on 08/11/2020 and applicant/ the then convener, was elected as President JDAA and Shri Virendra Singh Poonia was elected as Hony. Secretary JDAA.
- 6. That the above fact was brought on record and vide order dated 06-04-2021, Hon'ble Court was pleased to allow the interlocutory application No. 03/2021 and elected Secretary was allowed to represent the petitioner association and humble applicant President was allowed to be impleaded as petitioner No. 3, President of the petitioner association.
- 7. That during pendency of the writ petition, the Secretary Petitioner No. 2 has been appointed as Chief Sports Officer of Rajasthan State Sports Council (Respondent No.4 herein). It is submitted that by virtue of his appointment he



प्रमाणित
 राजस्थान राज्य खेल आयोग
 जयपुर

Ident
 Association Jaipur

BAUT M. RAJ JAIN
 CAT
 RAJ. ST. C.
 BLNCH

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has become ineligible to hold the post of Hony. Secretary of the petitioner association. Therefore, he cannot represent the petitioner association.

8. That the Executive Committee of the petitioner association in its meeting dated 26-03-2023, unanimously authorized the elected joint secretary Mr. Birendra Singh Shekhawat as officiating Secretary and to discharge the duties of the Hony. Secretary. Thus the present officiating Secretary is legally competent to represent the petitioner No.1 association. The copy of the minutes of the meeting dated 26-03-2023 is submitted hereto and marked as Annexure-A.

9. That in view of the above the name of the Secretary has to be substituted and instead of Mr. Virendra Singh Poonia, name of the present officiating Secretary Mr. Birendra Singh Shekhawat has to be recorded in the array of the petitioners and particularly Petitioner No.1 as under:-

1. Jaipur District Athletic Association, through its officiating Secretary Birendra Singh Shekhawat aged 39 years son of Shri Shreeram Singh, resident of C-6/1, Chitrakoot Scheme, Vaishali Nagar, Jaipur.

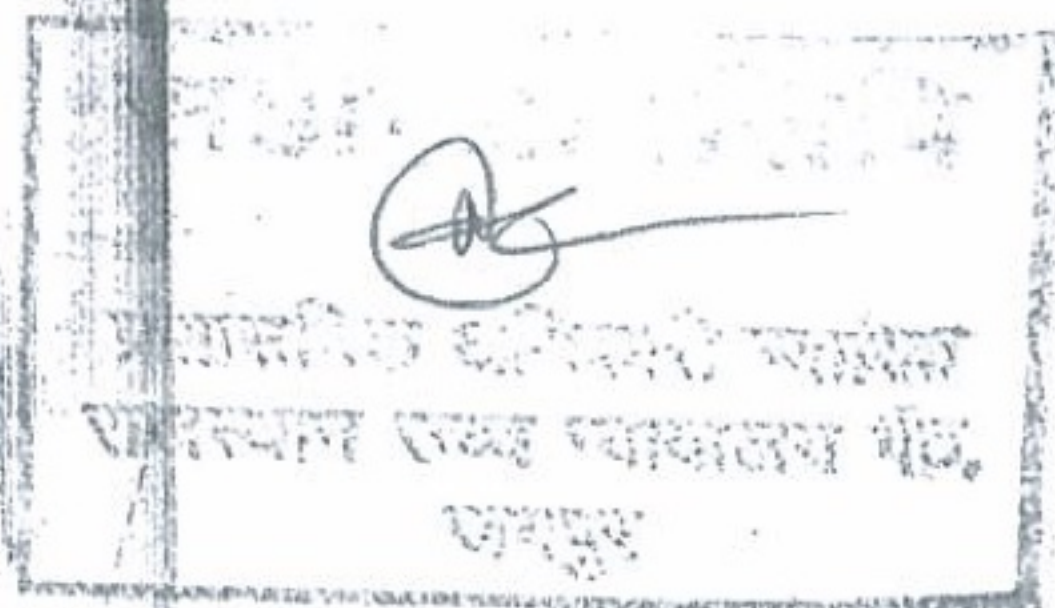
10. That similarly instead of Petitioner No. 2 Mr. Virendra Singh Poonia, Mr. Birendra Singh Shekhawat has to be substituted as under :-

Bsaini
President
District Athletic Association, Jaipur

GAUTAM RAJ JAIN
OATH COMMISSIONER
RAJASTHAN HIGH COURT BENCH
JAIPUR.

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2. Birendra Singh Shekhwat aged 39 years son of Shri Shreeram Singh, Hony. Officiating Secretary, Jaipur District Athletic Association, resident of C-6/1, Chitrakoot Scheme, Vaishali Nagar, Jaipur.
11. That since the association is aggrieved by the impugned illegal action of the respondent No.1, the right to sue continues/ survives and since the above development took place during pendency of the writ petition, the name of the present/ officiating Hony. Secretary is required to be substituted, in the interest of justice.
12. That the substitution of the name of the Secretary/ officiating Secretary of the petitioner association will neither change the nature of the case nor the facts and grounds of the case. However, in case the name of Secretary of the petitioner no. 1 association is not substituted, there shall be legal defect in the writ petition, in representation of the petitioner No. 1 association.
13. That it is submitted that no prejudice is likely to be caused to the respondents, in allowing the substitution, therefore, in the interest of justice the application for substitution is liable to be allowed and amended cause title is liable to be taken on record.



B. Jaini
President
District Athletic Association Jaipur

GAUTAM RAJ JAIN
COMMISSIONER
RAJASTHAN
JAIPUR.

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PRAYER

It is, therefore, most respectfully prayed that your lordships may kindly accept and allow the application and the name of the present/ officiating Secretary of the association/ Petitioner No.1 may kindly be allowed to be substituted in the array of the petitioners in the writ petition and the 'Amended Cause Title' may kindly be taken on record, in the interest of justice.

Any other relief which the Hon'ble Court deem fit, in favour of the Petitioners, in the facts and circumstances of the case may kindly be granted.

Humble Applicant/ Petitioner

Jaipur
Dated - 04-04-2023

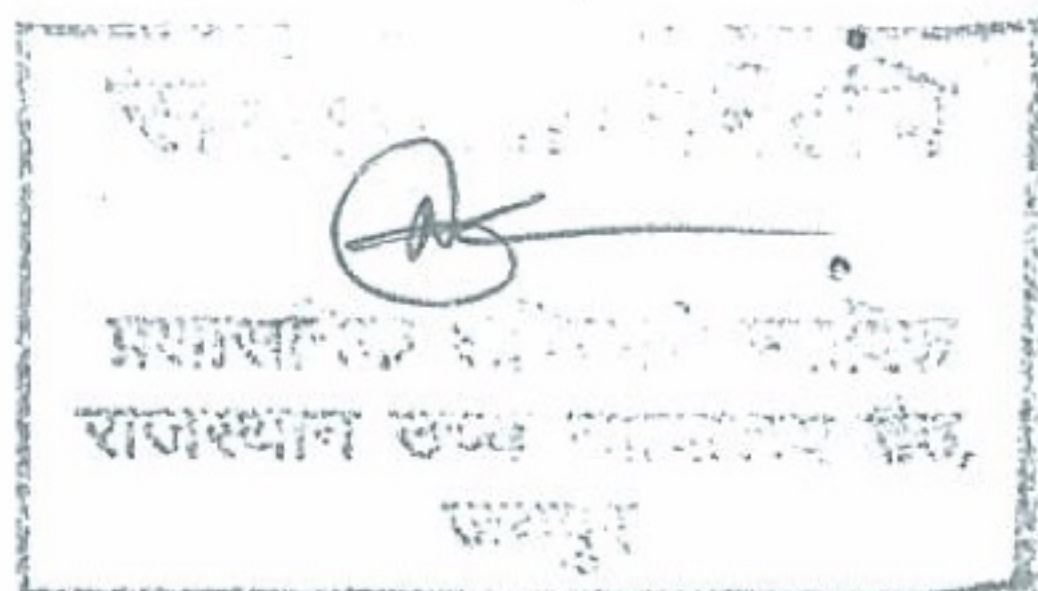
B. Saini

(Smt. Rajbala Saini)
President
Jaipur District Athletic Association

Through Counsel

President
District Athletic Association Jaipur

Sandeep
(Sandeep Singh Shekhawat)
R/ 2547/2008 Advocate
Ssspachar@gmail.com
9772777774 (M)



GAJENDRA JAIN
COUNSELLOR
COURT BENCH
ROAD NO. 10
JAIPUR.

②

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NOTES :-

- 1. No such application has been filed previously.
- 2. This has been typed by my private steno and has not been typed by any member of the High Court staff.
- 3. Since Pie papers are not readily available, hence typed on stout papers.
- 4. A copy of the application has been delivered to the counsel for the Respondents.

Sandeep
 COUNSEL FOR THE APPLICANT PETITIONERS

B. B. B. B. B.
 President
 District Athletic Association Jaipur

Sandeep Singh
Shelkunt
 04.04.23



GAUTAM RAJ JAIN
 OATH COMMISSIONER
 RAJASTHAN HIGH COURT BENCH

GAUTAM RAJ JAIN
 OATH COMMISSIONER
 RAJASTHAN HIGH COURT BENCH

2

IN THE HIGH COURT OF JUDICATURE FOR RAJASHTHAN AT
JAIPUR BENCH, JAIPUR

S.B.Civil Misc. Application No. / 2023
In

S. B.CIVIL WRIT PETITION NO. 8699 /2020

Jaipur District Athletic Association and others

VERSUS

Rajasthan Athletic Association and others

Affidavit in support of Application for Substitution

I, Rajbala Saini aged 54 years wife of Shri Mahaveer Prasad Saini, President, Jaipur District Athletic Association, resident of Plot No.100-A, Dispensary Road, Barkat nagar, Jaipur, do hereby make oath and state as under:-

1. That I am elected President of the Petitioner No.1 association and Petitioner No. 3 in the writ petition and as such well conversant with the facts of the case.
2. That the annexed application has been drafted by our counsel on my instructions on the basis of material and information furnished by me to the counsel. I have fully understood the contents thereof.
3. That the facts stated in paragraphs 1 to 13 and prayer of the application are true and correct to my personal knowledge and the legal submissions made therein are based on legal advice tendered by the counsel, which I believe to be true and correct.

Bsaini

President
District Athletic Association Jaipur

Bsaini

DEPONENT
President
District Athletic Association Jaipur

(Signature)
GAUTAM RAJ JAIN
OATH COMMISSIONER
RAJASTHAN HIGH COURT BENCH



सही-प्रतिलिपि

प्राथमिक अथवा द्वितीय
राजस्थान उच्च न्यायालय पीठ,
जायपुर

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VERIFICATION

I, the above named deponent, do hereby verify that the contents of paragraphs 1 to 3 of my above affidavit are true and correct; nothing material has been concealed there from and no part of it is false. SO HELP ME GOD.

B. Jain

DEPONENT

President
District Athletic Association Jaipur

4 APR 2023

Sandeep

4 APR 2023

S. No. 22 Date 4 APR 2023
Deponent Sandeep Jain
S/O Rajendra Jain
Age 37 R/O Jaipur
Identified by [Signature]

GAUTAM RAJ JAIN
COMMISSIONER
JAIPUR

[Signature]



सही-प्रमाणित
प्रमाणित अधिकारी
राजस्थान राज्य न्यायालय, जयपुर