

ITEM NO.302

COURT NO.6

SECTION XVI

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

Miscellaneous Application Nos.1930-1931/2025 in SLP(C) No. 21132-21133/2025

[Arising out of impugned final judgment and order dated 12-08-2025 in SLP(C) No.21133/2025 and SLP(C) No.21132/2025 passed by the Supreme Court of India]

SECRETARY, BIHAR CRICKET ASSOCIATION

Petitioner(s)

VERSUS

BIHAR CRICKET ASSOCIATION & ORS.

Respondent(s)

[TO BE TAKEN UP AT 3.00 P.M].....[REPORT IS RECEIVED].....[PART HEARD BY: HON'BLE MR. JUSTICE J.B. PARDIWALA AND HON'BLE MR. JUSTICE K.V. VISWANATHAN]

(IA No. 120597/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No.113900/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 87168/2026 - INTERVENTION/IMPLEADMENT AND IA No. 252923/2025 - MODIFICATION)

Date : 20-08-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :

Mr. Gopal Shankarnarayan, Sr. Adv.
Mr. Nizam Pasha, Adv.
Mr. Talib Mustafa, Adv.
Mr. Lzafeer Ahmad B. F., AOR
Mr. Ahmad Ibrahim, Adv.
Ms. Raksha Agrawal, Adv.
Mr. Sidharth Kaushik, Adv.
Mr. Pradyut Kashyap, Adv.
Ms. Indumugi C, Adv.
Mr. Naveen Singh, Adv.

For Respondent(s) : Mr. Vikas Mehta, AOR

Mr. Salvador Santosh Rebello, AOR
Ms. Manisha Gupta, Adv.
Ms. Himanshi Nagpal, Adv.
Mr. Raghav Sharma, Adv.
Ms. Moulishree Pathak, Adv.
Ms. Arzu Paul, Adv.
Ms. Deepti Arya, Adv.

Mr. Prashant Dixit, Adv.
 Mr. Nishant Kumar, Adv.
 Mr. Devesh Khandelwal, Adv.

Mr. Gaurav Sharma, Sr. Adv.
 Mr. Sumit R. Sharma, AOR

Mr. Amit Singh, AOR
 Mr. Ankur Kashyap, Adv.
 Mr. Ajith S. Ranganathan, Adv.
 Mr. Rohit Rajershi, Adv.
 Mr. Aman Bajaj, Adv.
 Mr. Purushartha Singh, Adv.
 Mr. Siddharth Dua, Adv.
 Mr. Rajasmit Mondal, Adv.
 Mr. Aman Pathak, Adv.

Mr. Aakarshan Aditya, AOR
 Mr. Satish Chand Kaushik, Adv.
 Mr. Vibhu Tiwari, Adv.
 Mr. Tarurag Gaur, Adv.

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

1. Our Order dated 27th October, 2025 reads thus:

"1. By our order dated 12.08.2025, we appointed Hon'ble Mr. Justice Nageswara Rao, Former Judge of the Supreme Court of India as the Ombudsman of the Bihar Cricket Association.

2. We requested the learned Ombudsman to have a formal meeting with the stake holders and try to workout the modalities for the smooth functioning of the Bihar Cricket Association.

3. It appears that after our order dated 12.08.2025, some developments have taken place as pointed out by Mr. Rajiv Shakhder, the learned senior counsel appearing for the petitioner.

4. We have looked into the order passed by the learned Ombudsman dated 26.09.2025 in BCA/Ombudsman/Complaint No.6/2025 and the connected matters.

5. It appears that the learned Ombudsman is seized of the larger issues involved between the parties and is looking into the same. This is evident from the observations made in paragraph '21' of the order passed by learned Ombudsman which reads as under:

a) The BCA Amended Rules and Regulations, 2025 cannot be acted upon till they were registered by the Registrar of Societies.

b) No Rules of Procedures for conducting elections have been made by the General Body in accordance with Rule 34 of the Amended Rules and Regulations, 2025.

c) The Resolutions dated 19.01.2025 and 25.05.2025 only relate to eligibility of the office bearers of the BCA to contest the

election. They are not the Rules of Procedure as provided for in Section 34 of the Amended Rules and Regulations, 2025 of the BCA.

d) The Ombudsman has ample power to pass appropriate orders in the Complaints filed before him. There is no restriction on the types of disputes and differences that can be decided by the Ombudsman.

e) The Electoral Officer is temporarily appointed to conduct the elections, unlike the Ombudsman who holds office for a period of one year at a time subject to maximum of three years.

f) The Electoral Officer has not been given the power to decide the correctness of inclusion of persons in the voters' list.

g) The present Committee of Management illegally interfered with the elected committee of the District Cricket Associations and managed to have their own people being nominated from several District Cricket Associations to become full members of the BCA."

6. What we have been able to gather is that the petitioner has serious grievances as regards the preparation of the electoral roll and the conduct of the election of the Executive Committee of the Association.

7. The aforesaid aspects, more particularly, the legality and validity of the electoral roll and the transparency in the conduct of election etc. would be looked into by the Ombudsman.

8. We should wait for the appropriate report that the learned Ombudsman may file in this regard. Once the report is before us, we shall take an appropriate call in the matters.

9. List on 15.12.2025."

2. In pursuance of our Order, referred to above, Hon'ble Mr. Justice L. Nageswara Rao has forwarded his Report dated 26th February, 2026.

3. We looked into the Report, which is quite exhaustive. The learned Ombudsman in the Ist part has given a brief introduction of the proceedings, followed by an analysis of issues related to the 2025 BCA elections. The conclusion contained in Part III of the Report reads thus:-

"84. As per the order of the Supreme Court of India, I confined my inquiry to those matters which a direct bearing on the composition of the electoral college for the election to COM, BCA, September 2025 and the democratic functioning of the association.

85. During the course of the hearings, I was apprised of several critical issues affecting the governan of the BCA. Foremost among them are the grievances concerning the constitution of ad-ho committees and the purported non-adherence to the orders

passed by the Ombudsman. There serious allegations regarding the arbitrary removal of elected office bearers of various DCAs, violations of principles of natural justice. Upon a detailed conspectus of the facts and the applicable rules, it was observed that the administrative actions of the BCA deviated from the established procedure. The practice of summarily removing elected bodies and appointing ad-hoc committees without following due process, undermines the democratic fabric of the association. Furthermore, the disregard for the Ombudsman's jurisdiction in matters of dispute redressal was found to be contrary to the BCA Rules & Regulations.

86. A peculiar complaint that I came across was of Jehanabad DCA, which adopted an odd interpretation of its bye-laws where office bearers elected in bye-elections were granted a fresh, full three-year tenure from their specific date of election, rather than serving only the remainder of the existing committee's unexpired term. This practice caused the tenures of individual office bearers to expire at different intervals, thereby preventing the simultaneous dissolution of the Committee of Management and resulting in a perennial cycle of staggered elections.

87. The detailed summaries of the complaints received and examined during this inquiry are attached herewith as Annexure A. Additionally, the various orders that I passed during the course of the hearings are attached herewith as Annexure B.

88. In light of the aforesaid findings and to ensure the smooth and lawful functioning of the BCA in the future, it seems appropriate to propose few remedial measures. Accordingly, the recommendations arising from this inquiry are set out in the following section."

4. The final recommendations as contained in Part IV read thus:-

"89. Ombudsman: The BCA R&R stipulate appointment of an Ombudsman for a period of 1 year, which may be extended up to 3 years by the General Body, BCA. The minimum tenure of the Ombudsman must be extended to 3 years, to ensure continuity in functioning and consistency in adjudication. The present provision providing for a term of 1 year is inadequate and extension of the same would ensure security of tenure to the Ombudsman. Moreover, a provision for impeachment may be included, requiring a resolution of the General Body, BCA by a 3/4th majority to protect the Ombudsman's tenure.

90. Administrator: Upon examination of the allegations pertaining to DCA elections, I have sufficient reason to believe that the electoral college requires a thorough reassessment. I recommend that an Administrator be appointed by this Hon'ble Court, who shall be tasked with conducting a verification exercise across all DCAs, similar to the exercise undertaken in 2022 by the Ombudsman-appointed committee. It is imperative to ensure that the electoral college only consists of valid member-clubs and does not become a tool for proxy voting through invalid clubs. Furthermore, any changes to the electoral college in the future must be done strictly in accordance with the

constitution of the DCAs. In the event any club of a DCA is sought to be removed from the electoral college, a proper notice to such a club must be given, they must be given an opportunity of being heard, and the decision should be subject to a mechanism of challenge before the Ombudsman. Similarly, any new affiliation to a club in a district, should also follow due legal process stipulated in the articles of association/rules and regulation of the concerned entity.

91. Fresh elections: Several discrepancies pertaining to the electoral college have been enumerated above. In light thereof, the elections of BCA conducted in 2025 cannot be deemed to having been conducted freely and fairly. It is therefore recommended that after the Administrator has completed his task of verification of DCA clubs, the BCA's electoral college should be recalibrated and elections to the DCAs and BCA should be conducted in accordance with the rules and regulations governing the BCA and the various DCAs."

5. In Para 90 of the recommendations, referred to above, the learned Ombudsman has suggested that an Administrator be appointed by this Court who shall be tasked with conducting a verification exercise across all DCAs, similar to the exercise undertaken in 2022 by the Ombudsman appointed Committee.

6. In view of the aforesaid, we appoint Hon'ble Mr. Justice Chakradhari Sharan Singh, former Chief Justice of the Orissa High Court, to act as an Administrator of the Bihar Cricket Association.

7. The learned Administrator shall proceed further in accordance with what has been recommended by the learned Ombudsman as contained in Paragraph 91 of the recommendations, referred to above.

8. The fees of the learned Administrator and other modalities shall be fixed in consultation with the parties.

9. We are informed that there are some objections on record insofar as the Report of the learned Ombudsman is concerned. We shall look into the same at an appropriate time.

10. As an interim measure, we direct that the recommendations shall come into force forthwith and be implemented.

11. We expect all the parties to cooperate and extend full cooperation to the learned Administrator we have appointed today.

12. We have already appointed Hon'ble Mr. Justice Deepak Gupta, former Judge of this Court as the Ombudsman of the Bihar Cricket

Association.

13. Post this matter on 8-10-2026 at 3.00 p.m.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)