

**Objections to the Nominations sent by Amateur Kabaddi Association Haryana
(in short AKAH) for the Electoral College of AKFI**

ORDER

Amateur Kabaddi Association Haryana (AKAH), an affiliated unit of AKFI has sent names of its two representatives for "Electoral College" AKFI namely Mr. Krishan Lal Panwar President and Mr. Kuldeep Singh Dalal General Secretary. Against these two names objections have been filed by Shri Vijay Prakash on behalf of the Haryana Kabaddi Association (HKA). Notice of these objections was sent to affiliated unit of AKFI. Hearing on objections from both the parties was held on 10.12.2018. On behalf of the objectors Mr. Vijay Prakash and Ms. Suman Manjri appeared. On behalf of AKAH Mr. Kuldeep Singh Dalal and Mr. Jitender Kumar advocate appeared. Both the parties were heard at length on the objections and were given effective hearing. Documents filed by both the parties in support of their objections along with written submissions were taken on record.

Grievance of the Objector Mr. Vijay Prakash is that HKA is the original Association. It was got registered in 1985 and was duly affiliated with AKFI. It was performing various activities for the development and promotion of Kabaddi in the State of Haryana since 1985. It was got registered under Haryana Registration and Regulation Act 2012 after seeking permission from AKFI. He alleged that activities of AKFI were not performed as per the rules and regulations by the previous Presidents whose elections have since been set aside by the Hon'ble High Court by the judgment dated 03.08.2018. There were number of irregularities and illegalities in the functioning of AKFI. He alleged that certificates were being sold; illegal benefits were given to the previous Presidents. He brought to the attention of the Administrator that Hotel Surya Resort belonged to the

previous President and her husband and huge payments were made while holding meetings etc. there to give financial benefit to Mr. J.S. Gehlot and his family. It is also pointed out that mats were purchased at higher rates from a distant location and it incurred huge expenses for transportation whereas such mats were available at cheaper rates nearby. All these allegations were controverted by the AKAH. It was informed that previously the Objector himself was one of the Office Bearers of AKFI for long. At that time, he did not raise finger regarding the various activities being carried out by AKFI. Now when HKA is not in existence and its affiliation has since been cancelled, false allegations have been made.

It has come on record that previously HKA was the affiliated unit of AKFI. However vide show cause notice dated 03.05.2017, AKFI withdrew its affiliation. A new Body AKA Haryana came into existence and AKFI conferred affiliation to it. Apparently, there was some dispute between Mr. Vijay Prakash, the President and Mr. Kuldeep Dalal the Secretary of HKA. Mr. Kuldeep Dalal submitted his resignation and subsequently became the General Secretary of AKAH. Both the parties were asked to explore possibility of settlement as they were part of the same Association. Both the parties expressed their desire to resolve the dispute amicably.

It is on record that the Objector had challenged the withdrawal of affiliation by filing CWP No. 10861/2017 which was decided on 18.05.2017. Order dated 02.05.2017 was set aside on the ground that Mr. Vijay Prakash was not given the opportunity to contest the show cause notice. Order dated 19.09.2017 in CPW No. 20912/2017 reveals that the said petition was disposed off and the matter was sent back to General Assembly of AKFI to decide the dispute in terms of Clause 29 of the Memorandum of Association and Constitution of AKFI. Again HKA filed CWP 29848 of 2017 which came to be disposed by an

order dated 22.12.2017. The Arbitration Commission was directed to be made functional and to decide the dispute as early as possible preferably within a period of 3 months. It is not disputed that AKFI appointed 3 former judges of Rajasthan High Court, Justice K.S. Rathore, Justice I.S. Israni and Justice Mahesh Sharma and conveyed it to the petitioner / objector on 08.01.2018. The petitioner was not satisfied with the appointment of the Arbitrators and again filed Arbitration Petition No. 42/2018 before the Hon'ble High Court. While the said petition was pending, the Objector filed the objections in question.

There is change of circumstances after the hearing of the objections. The Objector moved an application under Section 151 CPC for withdrawal of the said petition as he wished to pursue his remedy before Administrator AKFI and to resolve all the disputes with the respondents therein amicably. By an order dated 21.12.2018, the said application for withdrawal of petition was allowed.

Apparently the disaffiliation which was challenged by the Objector of HKA has not yet been set aside so far. The AKAH continues to be the affiliated unit of AKFI. Its elections have been conducted in the presence of the observers from AKFI on 29.10.2017. It has performed various activities relating to Kabaddi since it came into existence. Allegations regarding irregularities and illegalities in the running of AKFI and financial benefits enjoyed by the previous Presidents cannot be gone into at this stage without conducting detailed inquiry in due course.

Names of the representatives of the affiliated unit have been called only for a limited purpose to prepare an "Electoral College" to constitute an elected body in terms of the judgement of Hon'ble High Court of Delhi for the purpose to amend the Constitution of AKFI to make it compliant with NSCI Code. The first round of election is to be carried out and after the amendment in terms of the order, the second round of election to elect

a body is to be performed. So far the purpose of first round of election, names of the representatives of AKAH are to be accepted.

Other objections of the Objector shall be taken into consideration in due course.

The objections are disposed off accordingly.

Copy of the order be sent by e-mail to both the parties for compliance and be put on the website of AKFI.

25.01.2019

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Administrator
AKFI**