



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**LPA-1096-2025(O&M)
Date of decision: 08.04.2025**

Sibananda Pradhan

... Appellant

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Bikramjit S. Patwalia, Advocate, and
Mr. Abhishek Masih, Advocate,
for the appellant.

Mr. Shivendra Swaroop, DAG, Haryana.

Mr. Vinish Singla, Advocate,
for respondent No.4.

ARUN PALLI, J. (Oral)

Learned counsel for the appellant submits that in the petition [CWP-8469-2025], filed by respondent No.4 (Dr. M.N. Krishnamurthy), he had prayed for the following substantive reliefs:

“Civil Writ Petition under Article 226 of the Constitution of India for issuance of the writ in the nature of Mandamus directing the Respondent no.3 to conduct the free, fair and transparent elections of the office bearers of Amateur Baseball Federation of India on 20.04.2025 as already notified vide Letter dated 20.03.2025 (P-12);

Further, the writ in the nature of Certiorari to quash the letters dated 12.03.2025 (P-6 and P-7), 13.03.2025 (P-8 and P-9) and 21.3.2025 (P-13) issued by Respondent no.4 being arbitrary and unconstitutional and staying the operation of the said letters.



Further, the writ of Certiorari to quash the Executive Committee Meeting dated 9.3.2025 and subsequent proceeding based on this meeting conducted by the Respondent no.4 being without quorum, without any authority of law and totally illegal;

Further, to stay the elections scheduled announced on the behest of Respondent no.4 to be held on 12.04.2025 as the same being illegal and unauthorised.

Further, appoint any Retired Judge/Senior Counsel of this Hon'ble Court as observer/returning officer in the elections of ABFI to be held on 20.04.2025 at Chandigarh in the interest of justice and fair play.”

Learned counsel for the appellant submits that, in fact, the petition, referred to above, was filed in collusion between the petitioner and respondent No.3 (*Amateur Baseball Federation of India*). And, *ex facie*, the matter was disposed of, on the statement of the learned counsel for the Federation that respondent No.3 would adhere to the process for holding the elections on April 20, 2025, as notified vide letter dated 20.03.2025. On the first date of hearing itself. Further, he submits that respondent No.4 had also **assailed** the letters dated 12.03.2025 (P-6 & P-7), 13.03.2025 (P-8 & P-9), and 21.03.2025 (P-13), that were issued by the appellant. Consequently, appellant, being a necessary party, was arrayed as respondent No.4 to the *lis*. But, despite that, he was not served with an advance copy of the petition. As a result, the true and actual position, as also the documents that have a decisive bearing on the matter, were not brought to the notice of the learned Single Judge. It is submitted that the respondents are misconstruing the impugned order and judgment to the detriment of the appellant, which severely impacts his rights/interests.



However, after arguing the matter at some length, learned counsel for the appellant, as always, fairly submits that, in the given circumstances, it would rather be expedient if the appellant is permitted to withdraw the appeal to enable him to move an appropriate application before the learned Single Judge, seeking modification/review/re-calling of the impugned order. And, he shall also place all the necessary documents before the Writ Court. He submits that the matter being time-sensitive, the necessary application shall be moved today itself.

In the wake of the above, and in terms of the statement made by learned counsel for the appellant, the appeal is permitted to be withdrawn with the liberty as indicated above.

(Arun Palli)
Judge

(Sudeepti Sharma)
Judge

08.04.2025
Rajan/AK Sharma

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO