GAHC040008332026 2026:GAU-AP:588-DB

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WA/35/2026

The Arunachal Cricket Association and Anr
through its President / Secretary, Itanagar, Office address N T Hina Apartment, Opposite Garden Dew School, RWD Colony, PO and PS Itanagar, Papum Pare District, Arunachal Pradesh 791111

2: Nabam Vivek
Age:
Occupation :
President /Former Honorary Secretary
ARCA
Office address NT Hina Apartment
Opposite Garden Dew School
RWD Colony
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh 79111

VERSUS

Pada Camdir Teli and 13 Ors
Son of Shri Talar Teli, resident of Polo Colony, PO and PS Naharlagun, Papum Pare District, Arunachal Pradesh, President of Papum Pare District Cricket Association.

2:Kirnya Lollen
Age: 39
Occupation :
Son of Shri Henkir Lollen
resident of Aalo
PO and PS Aalo
West Siang District
Arunachal Pradesh
President
West Siang District Cricket Association.

3:Tsering Thapkey
Age: 26
Occupation :
Son of Late Kesang
resident of Tawang
PO
PS and District Tawang
Arunachal Pradesh
President
Tawang District Cricket Association.

4:Tam Romi Paul
Age: 33
Occupation :
Son of Shri Tam Charu
resident of Raga
PO and PS Raga
Kamle District
Arunachal Pradesh
President of Kamle District Cricket Association.

5:Dosh Dasi
Age: 52
Occupation :
Son of Late Tajam Dasi
resident of Daporijo
PO and PS Daporijo
Upper Subansiri District
Arunachal Pradesh
President of Upper Subansiri District Cricket Association.

6:Kojum Nake
Age: 52
Occupation :
Son of Shri Tako Nake
resident of Hime
PO and PS Likabali
Lower Siang District
Arunachal Pradesh
President of Lower Siang District Cricket Association.

7:Roger Nabam Hina
Age: 0
Occupation :
Currently claiming to be Honorary Secretary
ARCA
Office address NT Hina Apartment
Opposite Garden Dew School

RWD Colony
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh 791111

8:Kame Yangfo
Age: 0
Occupation :
currently claiming to be Vice President
ARCA
Office address NT Hina Apartment
Opposite Garden Dew School
RWD Colony
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh 791111

9:Song Tacho
Age: 0
Occupation :
currently claiming to be Joint Secretary
ARCA
Office address NT Hina Apartment
Opposite Garden Dew School
RWD Colony
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh 791111

10:Nipak Ngomle
Age: 0
Occupation :
currently claiming to be Honorary Treasurer
ARCA
Office address NT Hina Apartment
Opposite Garden Dew School
RWD Colony
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh 791111

11:Bengia Arun
Age: 0
Occupation :
inducted as Apex Council Member (Former Players Quota)
Office address NT Hina Apartment
Opposite Garden Dew School
RWD Colony

PO and PS Itanagar
Papum Pare District
Arunachal Pradesh 791111

12:T C Tok
Age: 0
Occupation :
Former President
currently claiming to be Chief Advisor
ARCA
office address NT Hina Apartment
Opposite Garden Dew School
RWD Colony
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh 791111

13:Board of Control for Cricket in India
Age: 0
Occupation :
through its Secretary
Mumbai
Office Address Cricket Centre
4th Floor
Wankhede Stadium
D Road
Churchgate
Mumbai 400020
India

14:The Electoral Officer
Age: 0
Occupation :
ARCA (Khaimmichho Riachho
IAS retd)
resident of Aizwal
PO and PS Aizwal
Aizwal District
Mizoram 79600

BEFORE

HON'BLE MR. JUSTICE KALYAN RAI SURANA

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

For the appellants : Mr. S. Dutta, Sr. Adv.
: Mr. H.K. Nath, Adv.

For the respondent nos. 1 to 12 : Mr. J. Jini, Adv.

Date on which judgment is reserved : 11.06.2026.

Date of pronouncement of judgment : 12.06.2026.

Whether the pronouncement is of the operative part of the judgment? : No

Whether the full judgment has been Pronounced : Yes

JUDGMENT AND ORDER

(*CAV*)

(K.R. Surana, J)

Heard Mr. S. Dutta, learned senior counsel, assisted by Mr. H.K. Nath, learned counsel for the appellants. Also heard Mr. J. Jini, learned counsel for the respondent nos. 1 to 12.

2) By way of this intra-court appeal, the appellants, who are the respondent nos. 1 and 2 in W.P.(C) No. 118(AP)/2026, have assailed the order

dated 03.06.2026, passed by the learned Single Judge, in I.A.(C) No. 108(AP)/2026, in W.P.(C) No. 118(AP)/2026 and prayer has also been made to vacate the interim order dated 26.03.2026, passed by the learned Single Judge in W.P.(C) No. 118(AP)/2026.

3) By the impugned order dated 03.06/2026, the learned Single Judge, considering the facts and circumstances involved, instead of deciding the said interlocutory application, was inclined to hear the writ petition. Accordingly, it was directed that the matters be listed for admission hearing on 15.06.2026, with liberty to the learned counsel to pray for upgradation of matter.

4) The matter was heard for quite some time. The issue involves election of the office bearers of the Arunachal Cricket Association.

5) In brief, the points urged by the learned senior counsel for the appellants is that it is well settled legal proposition that election of private societies cannot be challenged by way of writ petition, as elections to such societies do not involve any public duty. It was also urged that three successive writ petitions, basically with similar prayers, have been filed, which is impermissible in law. Moreover, it was submitted that as the interim order has prevented functioning of the duly elected Executive Committee of the appellant no.1, no public purpose would be served and it does not help the principal respondents in any manner. It was submitted that at best if these writ petitions were allowed, then at best, there would be a fresh election. Therefore, it was submitted that the interim order dated 26.03.2026, passed by the learned Single Judge in W.P.(C) No. 118(AP)/2026 was liable to be vacated, but the learned Single Judge, instead of vacating the interim order, deemed it appropriate to hear all the three writ petitions, being W.P.(C) No. 63(AP)/2026, W.P.(C) No.

97(AP)/2026 and W.P.(C) No. 118(AP)/2026.

6) In support of his submissions, the learned senior counsel for the appellants has cited the following cases, viz., (i) *R. Sreenivasa Sethupathi v. KR. Periakaruppan & Ors., S.L.P.(C) No. 17415/2026, decided by Supreme Court of India on 13.05.2026*, (ii) *Ram Chandra Choudhary v. Roop Nagar Dugdh Utpadak Sahakari Samiti Limited & Ors., 2026 SCC OnLine SC 583*, (iii) *P. Rammohan Rao v. K. Srinivas & Ors., Civil Appeals @ SLP(C) Nos. 4036-4038 of 2024 and Civil Appeals @ SLP(C) Nos. 4496-4597 of 2024, decided by Supreme Court of India on 13.02.2025*, (iv) *Rajasthan Chess Association v. Ashok Kumar Bhargava & Ors., D.B. Special Appeal Writ No. 288/2026, decided by Rajasthan High Court on 16.04.2026*, (v) *Sanjay Saraf v. J&K Cricket Association & Ors. W.P.(C) No. 3158/2025, decided on 17.12.2025*, (vi) *Imran Hafeez v. Union of India & Ors., W.P.(C) No. 11086/2024, decided on 09.08.2024*.

7) From the submissions advanced by the learned counsel for the principal respondent nos. 1 to 6, it appears that the respondents (i.e. writ petitioners) have raised a grievance regarding the manner in which instead of elections, a selection of a new Governing Body of the Apex Council of Arunachal Cricket Association was conducted, which includes allegations of unauthorised amendment to the Rules and Regulations of the Arunachal Cricket Association, which is claimed to be in violation of the orders passed by the Supreme Court of India, for which reference is made to Rule 44 of the Rules.In support of his submissions, the learned counsel for the respondent nos. 1 to 6 has cited the following cases, viz., (i) *Board of Control for Cricket in India v. Cricket Association of Bihar, (2015) 3 SCC 251*, (ii) *Board of Control for Cricket in India v. Cricket Association of Bihar, (2016) 8 SCC 535*, and (iii) *City Cricket Club*

Srinagar & Ors. V. Board of Control for Cricket in India & Ors., 2021 SCC OnLine J&K 196.

8) Without entering into the merit of the respective submissions made by both sides, it appears that there is no dispute that the directions passed by the Supreme Court of India, prohibiting amendment of the Rules find place in Rule 44 of the Rules and Regulations. There is also no dispute that the normal three-year tenure of the elected Committee would have otherwise ended in the month of October, 2025. However, after such tenure was over, the Rules were amended and the terms of the earlier elected Committee was extended by a further year. Nothing has been brought on record that any leave was obtained from the Supreme Court of India to amend the Rules. This itself is a good ground for the learned Single Judge to hear the writ petition, because when wilful and deliberate non-compliance of the orders of the Supreme Court of India is alleged, in order to uphold the majesty of the Supreme Court of India, this Court has a duty to examine if there were any such directions by the Supreme Court of India and whether such directions have been disobeyed.

9) Therefore, the Court is of the considered opinion that the learned Single Judge had rightly deemed it appropriate to hear the writ petition instead of hearing the interlocutory application because the plea in these writ petitions are to the effect that the elections were manipulated and the selection was held in disregard to the provisions of Rule 12(e), 13(c), 14(1)(f), 14(2), 32(ii), 36 and 44.

10) The learned senior counsel for the appellants had urged that three writ petitions with similar prayers would not be maintainable. Even to examine that issue, the learned Single Judge would have to hear the parties in

all the said three writ petitions.

11) Even from the submissions made by the learned senior counsel for the appellants, the three writ petitions were filed with different cause of actions, though some reliefs appear to be overlapping.

12) Therefore, having heard both sides extensively for about 2 (two) hours, this Court has also arrived at the same conclusion as the learned Single Judge that instead of hearing the interlocutory applications, the learned Single Judge has adopted the view that instead of spending time on interlocutory applications, in the same effort, the writ petitions can also be decided, which would bring quietus to all disputes raised in the three writ petitions. This Court is of the view that by hearing all the three writ petitions, the valuable judicial time of the Court would be saved, which would be in public interest.

13) Therefore, the view taken by the learned Single Judge, in the order dated 03.06.2026, passed by the learned Single Judge, in I.A.(C) No. 108(AP)/2026, in W.P.(C) No. 118(AP)/2026, is not found to suffer from any illegality or perversity and is not contrary to any law in force.

14) Arguable points were raised by both sides, which leads to a *prima facie* view that the interim order dated 26.03.2026, passed in W.P.(C) No. 118(AP)/2026, which is sought to be vacated by filing I.A.(C) No. 108/ (AP)/2026, also cannot be *ex facie* held to be perverse or otherwise without the examination of the writ petitions on merit.

15) The Supreme Court of India, in the case of *N. Ramachandra Reddy v. State of Telengana, (2020) 16 SCC 478: AIR 2019 SC 4182*, while considering intra court appeal, unless the Appellate Bench concludes that the

findings of Single Judge is perverse, it shall not disturb the same.

16) This Court, in the case of *State of Tripura v. Ramendra Nath Dey, (2000) 3 GLT 214: (2001) 1 GLR 54: (2000) 0 Supreme(Gau) 280*, has held that the judgment/order of the Single Judge should be set aside or quashed only when there is patent error on the face of the record or the judgment is against the established or well settled principle of law.

17) In the case of *Starline Agency v. Nabajit Das, 2011 (1) GLT 710: (2011) 5 GLR 186: (2011) 0 Supreme(Gau) 149*,and also in the case of *Tractor & Farm Equipment Ltd. v. Secretary to the Govt. of Assam, Dept. of Agriculture, 2004 (1) GLT 117*, which was followed in *north Eastern Regional Institute of Science and Technology v. Prabhanjan Kumar Pranav, (2018) 5 GLR 572: (2017) 0 Supreme(Gau) 1509*, this Court had held that if two reasonable and logical views are possible, the view adopted by the Single Judge should normally be allowed to prevail.

18) In the case of *Assam State Electricity Board V. Sri Surya Kanta Roy, (1994) 1 GLR 383: (1993) 0 Supreme(Gau) 190*, this Court had held that the appellate court will not interfere with the discretion of the court of first instance and substitute its own discretion except where the discretion has been shown to have been exercised arbitrarily or capriciously or perversely or where the court has ignored the settled principles of law.

19) Therefore, as the impugned order dated 03.06.2016, passed in I.A.(C) No. 108(AP)/2026 is not found to be illegal or perverse on any count, the Court is disinclined to examine the matter on merit, as it would prejudice either side when the writ petitions are finally heard. Having heard both sides, the same view is taken by the Court. Moreover, the interim order dated 26.03.2026,

passed in W.P.(C) No. 118(AP)/2026, is also not found to be perverse and illegal and therefore, the same cannot be vacated at this stage. Therefore, there is no reason to discuss the case laws cited at the Bar.

20) Accordingly, this writ appeal stands dismissed. There shall be no order as to cost.

21) Before parting with the records, it is clarified that as this Court has not examined the matter on merit, none of the parties shall suffer any prejudice by any observations made in this order when the writ petitions are heard.

JUDGE **JUDGE**

Comparing Assistant