

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

Petition(s) for Special Leave to Appeal (C) No. 9285/2020  
(Arising out of impugned interim judgment and order dated 17-06-2020 in FAO No. 92/2020 passed by the High Court of Delhi at New Delhi)

PARMOD JAIN & ORS.

Petitioner(s)

VERSUS

THE DELHI AND DISTRICT CRICKET ASSOCIATION & ORS. Respondent(s)  
(With IA No. 95171/2020 - APPLICATION FOR PERMISSION, IA No. 76021/2020 - APPLICATION FOR VACATION OF INTERIM ORDER, IA No. 95108/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 87139/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 87137/2020 - DISMISSING THE CASE, IA No. 76022/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 67647/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 95165/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 87141/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 67646/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 67651/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)

WITH

SLP(C) No. 8649/2020 (XIV)  
(With IA No. 73116/2020 - APPLICATION FOR VACATION OF INTERIM ORDER, IA No. 74827/2020 - CLARIFICATION/DIRECTION, IA No. 73117/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 76030/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 65242/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 74818/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 76029/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 65243/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)

SLP(C) No. 11204/2020 (XIV)  
(With IA No. 94038/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 94035/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 94353/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

[ TO BE TAKEN UP ALONG WITH SLP(C)NO.9285/2020 ]

SLP(C) No. 11743-11745/2020 (XIV)  
(With IA No. 104652/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 99501/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 99497/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 104651/2020 - INTERVENTION APPLICATION and IA No. 99498/2020 - PERMISSION TO FILE SYNOPSIS AND LIST OF DATES)

SLP (C) No. 9285/2020 etc.

Date : 15-10-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE HEMANT GUPTA  
HON'BLE MR. JUSTICE AJAY RASTOGI

For Parties

Ms. Aishwarya Bhati, ASG.  
Mr. Gaurav Sharma, AOR  
Mr. Tejveer Bhatia, Adv.  
Mr. Saurabh Chadda, Adv.  
Mr. Prateek Bhatia, Adv.  
Mr. Dhawal Mohan, Adv.  
Mr. Gaurav Sharma, AOR

Mr. P. S. Patwalia, Sr. Adv.  
Mr. Malak Manish Bhatt, AOR  
Mr. Rajat Bector, Adv.

Mr. Kapil Sibal, Sr. Adv.  
Mr. Ankur Chawla, Adv.  
Mr. Jayant Mohan, AOR  
Ms. Meenakshi Chatterjee, Adv.

Mr. K. V. Vishwanathan, Sr. Adv.  
Mr. Ankur Chawla, Adv.

Mr. Farrukh Rasheed, AOR

Mr. Mishra Saurabh, AOR  
Ms. Jyoti Mendiratta, AOR

Mr. Ranjit Kumar, Sr. Adv.  
Mr. Tanvir Nayar, AOR

Mr. N. Venkataraman, ASG.  
Mr. Piyush Beriwal, Adv.  
Ms. Priyanka Das, Adv.  
Mr. A. K. Sharma, AOR

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

The Parties reached a settlement the terms of which  
are as follows:

- A. That the present terms are binding between the parties and shall be complied in letter and spirit;
- B. That the parties will jointly make following prayers before the Hon'ble Supreme Court:
- I. To set aside the order dated 10.10.2020, passed by the Ld. Chief Ld. Electoral Officer, whereby, the Ld. Electoral Officer had countermanded the election process;
  - II. Direct the Ld. Electoral Officer to resume the process as per Election Notice dated 30.9.2020; and
  - III. Direct the Ld. Electoral Officer to fix the following schedule:
    - (i) Withdrawal of nomination by the candidate: 17.10.2020 from 11:00am to 01:00pm;
    - (ii) Publishing of the final list of the candidates for the election: 17.10.2020 by 04:00pm;
    - (iii) Polling of votes: 05.11.2020, 06.11.2020, 07.11.2020 and 08.11.2020 from 11:00 am till 05:00pm;
    - (iv) Counting of votes: 09.11.2020; and
    - (v) Declaration of poll results upon counting of Votes on 09.11.2020
- C. That a direction may kindly be issued directing all parties to render full assistance to the Ld. Electoral Officer and his team to finalize the elections to post of President, Treasurer and four Directors in terms of Articles of Association approved by the Hon'ble Supreme Court. There shall be no interference by any person, in the Election Process which has to be conducted in the Extra Ordinary Meeting of the General Body. That the Electoral Officer shall be assisted by the team appointed by the Hon'ble High Court vide order dated 09.09.2020 passed in FAO. No. 92 of 2020 and only member of the team as appointed by the Electoral Officer shall issue all notices/ directions, which shall be complied with by each and every party herein and staff of the Company;

- D. That the direction may kindly be issued that the payment of the Id. Electoral Officer and members of his team as fixed by the erstwhile Hon'ble Ombudsman shall be paid forthwith and, in any case, not later than 16.10.2020;
- E. The direction may kindly be issued that the agenda item-3, pertaining to the termination/removal of Mr. Rajan Manchanda as per Order of the Id. Ombudsmen dated 14.05.2020, shall be kept pending in the list of business of the DDCA and will be taken up in the Annual General Meeting of the DDCA to be held in December, 2020, or as and when convened as per MCA Notifications;  
That in view of the resignation of Hon'ble Mr. Justice (Retd.) Deepak Verma, Hon'ble Mr. Justice (Retd.) Badar Durez Ahmad is appointed as Ombudsman of the DDCA till the next Annual Meeting of the General Body, wherein, fresh appointment of Ombudsman will be made as per the Articles of Association of the Company as prevailing on date. That all dues of Hon'ble Mr. Justice (Retd.) Deepak Verma shall be settled forthwith and in any case not later than 16.10.2020;
- F. That the Director Sports and Woman Director shall continue on the Apex Council of DDCA till a decision, in this regard, is taken by Hon'ble Ombudsman, as per applicable law and Articles of Association of DDCA;

The SLP's are disposed of in terms of the settlement.

All pending applications stand disposed of.

In view of the amicable settlement between the parties, the allegations and counter allegations made by the petitioners and the respondents stand withdrawn.

Question of law relating to the maintainability of the Suit is left open.

The request of Ms. Aishwarya Bhati, learned Additional Solicitor General, to remove the following sentence from the Order dated 15.09.2020 of the High Court of Delhi in F.A.O. No. 92 of 2020, is accepted and the following sentence is directed to be removed from the order.

"The Apex Council's resolution is in the face of the Supreme Court's aforesaid order and, ex facie, is an interference in these proceedings."

(NIDHI AHUJA)  
AR-cum-PS

(ANAND PRAKASH)  
BRANCH OFFICER