

IN THE OFFICE OF OMBUDSMAN-CUM-ETHICS OFFICER, PCA
MOHALI.

In the matter between

District Cricket Association Mohali V/s G.S.Walia and others

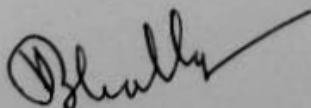
Present : Sh.Gagandeep Singh Dhaliwal, Petitioner
Sh.Anuj Ahluwalia, Counsel of respondent No.1, 2 and 3.

ORDER

This order of mine shall dispose of application filed on behalf of the respondents for referring the matter in dispute to the Dispute Redressal Committee, Punjab Cricket Association.

2. The undersigned received complaint filed by District Cricket Association, Mohali through its authorized person Gagandeep Singh Dhaliwal levelling allegations of fraud, misrepresentation, embezzlement/misappropriation of funds released by Punjab Cricket Association in the name of District Cricket Association, Mohali, by respondents No.1 and 2. The allegations are serious in nature. Now the respondents through this application submitted that a Dispute Redressal Committee of Punjab Cricket Association has been formed in the annual general meeting of the Punjab Cricket Association held on 30.10.2021 to examine the complaint and resolve the matter between the parties amicably. So, the respondents through this application submitted that the main complaint may be referred to the said Dispute Redressal Committee, Punjab Cricket Association.

3. I have gone through the law relating to the subject and have minutely gone through the present application filed by the respondents as well as the main complaint which

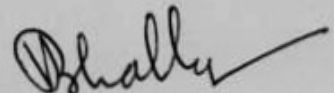


is subject matter in dispute. In the main complaint, serious allegations are involved which pertain to fraud, embezzlement/misappropriation of funds, etc. The main complaint in question is dated 16.09.2021 and the Dispute Redressal Committee, Punjab Cricket Association has been formed on 30.10.2021. The Ombudsman-cum-Ethics Officer has already taken the cognizance of this complaint.

4. The undersigned has been appointed as Ombudsman/Ethics Officer under Rule 46 of the Memorandum of Association of PCA and it provides legal/statutory powers to the Ombudsman/Ethics Officer of PAC and any Dispute Redressal Committee formed by PCA cannot override the powers of the Ethics Officer. Moreover, serious allegations have been levelled against respondent No.2 in the main complaint whereas he has also been nominated as member of the Dispute Redressal Committee formed by the Punjab Cricket Association. Written statement has not been filed by the respondents. This conduct of the respondents shows that they want to delay the proceedings and disposal of the main complaint. As such, I do not find any justification in referring the main complaint in dispute to the Dispute Redressal Committee formed by the Punjab Cricket Association.

5. Resultantly, I hold that the present application filed by the respondents has no merit and the same is hereby dismissed.

15th January, 2022.



JUSTICE HS BHALLA

(Former Judge)

**Ombudsman-cum-Ethics Officer,
Punjab Cricket Association, Mohali.**