

IN THE OFFICE OF THE OMBUDSMAN-CUM-ETHICS OFFICER, PCA, SAS NAGAR

(MOHALI)

Amrit Singh

Complainant

Versus

Firozpur District Cricket Association, & Others

Respondents

Yadvinder Singh

Complainant

Versus

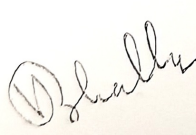
Firozpur District Cricket Association, & Others

Respondents

Present: - None.

ORDER

An e-mail has been received from Office Secretary of the Firozpur District Cricket Association, informing that Shri R.P.Ohri, President of Firozpur District Cricket Association has met the edge of doom on account of cardiac arrest suffered by him on 11.05.2022, at Chandigarh. Therefore, his name from the array of respondents is struck down. As per the memorandum of association of Firozpur District Cricket Association, in case of death of President, the Vice President Shri Ashok Paul Sharma, shall step into the shoes of President. As such there is no need to call for the substitute of deceased R.P.Ohri, President of Firozpur District Cricket Association because Vice President Shri Ashok Paul Sharma, respondent No.x, is already appearing. Due to sudden demise of the President, all preparations for defending and appearing before this Forum on 14.05.2022 have been reduced to naught and finally he has prayed that hearing of 14.05.2022 may kindly be adjourned. The copy of this e-mail be placed on the file.

 The complainant Amritpal has sent an application through e-mail for the restoration/revival of his complaint and has also prayed that he be permitted to recall statement dated 12.02.2022 by virtue of which the complaint was withdrawn by his counsel. He has also prayed that main complaint may kindly be restored to its original

number and the same be clubbed with the new case against District Cricket Association.

This application is also supported by an affidavit, the same be also placed on the file. After having gone through the file, I find that vide my order dated 4.5.2022, the file titled as Amrit Pal vs. Firozpur Cricket Association was requisitioned and the same was tagged with the present file i.e. Yadvinder Singh vs. Firozpur District Cricket Association & Others. In view of this, no separate order regarding taking of the file with the new case is required to be passed. Keeping in view the facts and circumstances available on the record particularly the report of the inquiry officer available in the complaint titled as Amrit Pal vs. Firozpur District Cricket Association & Others, I would like to point out that it has been categorically pleaded in the application that at the time of withdrawal of the complaint, the applicant was under stress due to pressure of the family members not to pursue the complaint against the respondents as his family members apprehended harm at the instance of the respondents and it is under these forcible circumstances that such a statement was suffered. The application is also supported by an affidavit of Amrit Pal, therefore, to my mind, the entire matter is required to be examined again particularly when the report of the Enquiry Officer is available on the file.

After having gone through both the complaints, I find that these are verbatim and there is no change at all in the name of the respondents in the pleadings. Though, notice in the fresh complaint has been ordered but to my mind it would be wastage of time and futile exercise to call upon the parties to place on the record the supporting documents, which are already available in the file of Amrit Pal along with the record of the PCA. It is admitted case that in spite of number of opportunities, the written statement was not filed by the respondents, in the old complaint, which was withdrawn by the complainant, as discussed by me in his application in hand that he was under pressure to withdraw the same. After having gone through the inquiry report and considering all other documents available on the record to my mind, it is a



fit case, to be considered particularly in the light of the inquiry report submitted by the Inquiry Officer.

In view of what has been discussed above, the order dated 12.02.2022 regarding withdrawal of the complaint is recalled and the file is restored to its original number. The matter is reserved till the finalization of the order.

MAY 14, 2022



(JUSTICE H.S. BHALLA)
FORMER JUDGE