

High Court of Karnataka- Principal Bench at Bengaluru

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Daily Status

Principal Bench at Bengaluru

In The Court Of :Others

Case Number :WP/0034890/2025

KARNATAKA STATE CRICKET ASSOCIATION **Versus** ELECTORAL OFFICER, KSCA

Date : 21-11-2025

Business

: 1. Petitioner-Karnataka State Cricket Association is before this Court in W.P.No.34890/2025 seeking for the following reliefs: "a) Issue a Writ of Certiorari or any other Writ, Order or Direction quashing the Letter dated 17.11.2025 sent by the Respondent to the Petitioner (Annexure A). b) Issue a Writ of Mandamus or any other Writ, Order or Direction directing the Respondent to fulfil his duties as per the Bye Laws (Annexure C) of the Petitioner and carry on the Election process of the Petitioner in terms of the duly published Election Calendar (Annexure E). c) Issue such other Writs, Directions or Orders, which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case, in the interest of justice and equity." 2. W.P.No.34902/2025 has been filed by one of the members of the Karnataka State Cricket Association (for short 'KSCA') who is a candidate for the elections to be conducted by the KSCA and sought for the following reliefs: "a) Issue a Writ of Certiorari or any other Writ, Order or Direction quashing the Letter dated 17.11.2025 sent by the Respondent No.1 to the respondent No.2 (Annexure A). b) Issue a Writ of Mandamus or any other Writ, Order or Direction directing the Respondent Nos.1 and 2 to fulfill their duties as per the Bye Laws of the Petitioner and carry on the Election process of the 2nd Respondent in terms of the duly published Election Calendar (Annexure C). c) Direct the Respondents to pay the costs of this Petition. c) Issue such other Writs, Directions or Orders, which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case, in the interest of justice and equity." 3. Before the matter could be taken up, the intervention applications had been filed in all four in number. I.A.No.1/25 is filed by one of the members who wishes to be a candidate in the ensuing elections. I.A.Nos.2/25, 3/25, and 4/25 have been filed by the present members of the Managing Committee. 4. Essentially, in both matters, the letter issued by the Electoral Officer dated 17.11.2025, postponing the elections from 30.11.2025 to 30.12.2025, is under challenge. 5. The submission of Sri.Udaya Holla, learned Senior Counsel appearing for the petitioner in W.P.No.34890/2025 and Sri. Jayakumar.S.Patil, learned Senior Counsel appearing for the petitioner in W.P.No.34902/2025, is that the election once commenced could not be postponed, and as such, the election would have to be held on the fixed date. Apart therefrom, various submissions have been made as regards the interpretation of Bylaw 6A(ii)(e) and Bylaw 6B(2)(i)(e)(g) of KSCA and in that regard , reference has been made to various judgments of the Hon'ble Apex Court. 6. Sri. Arun Kumar, learned Senior Counsel appearing for the intervener in I.A.No.2/2025 has also made references to the very same judgments which were relied upon by the learned Senior Counsels appearing for the petitioners and seeks to provide his interpretation to the aforesaid clauses. The counsels appearing in the other intervening applications adopt the submissions of Shri Arun Kumar, learned Senior Counsel. 7. Upon a specific query posed by this Court to the learned counsel appearing on all sides as to whether they desired an interpretation or adjudication on the clauses above, all learned counsel representing the intervenors unequivocally stated that they do not seek any ruling, clarification, or interpretation of the said clauses from this Court. Conversely, the learned Senior Counsel appearing for the Petitioners submitted that they would have no objection if this Court were to undertake such an interpretative exercise. This divergence in the positions of the parties has been duly noted. 8. In light of the above submissions, and notwithstanding the fact that extensive arguments were advanced touching upon the interpretation and legal effect of those clauses, this Court is of the considered view that it is neither necessary nor appropriate to enter into those questions at this juncture. Accordingly, the various submissions made on the meaning, scope, and applicability of the said clauses do not warrant examination, and this Court refrains from expressing any opinion thereon. The issues raised in that regard are

thus left open. 9. The learned counsel for the intervenors further submit, in unequivocal terms, that they have no objection whatsoever to the conduct of elections, and that they remain fully committed to ensuring compliance with the orders of the Hon&r's Supreme Court. Their singular contention, however, is that such elections must be conducted strictly in accordance with the existing bye-laws governing the Association and in conformity with the binding judgments of the Hon&r's Supreme Court. No other objection to the electoral process has been urged by them. 10. Sri Jayakumar S. Patil, learned Senior Counsel, has urged that the Electoral Officer may appropriately be directed to proceed with the election process, subject only to minor modifications rendered necessary on account of the delay occasioned by the issuance of the communication dated 17.11.2025 postponing the elections. He further submits that, to inspire confidence in all stakeholders and to facilitate the expeditious completion of the electoral process, this Court may appoint a former Judge of this Court to oversee and supervise the conduct of the elections. 11. His concern is that any further delay in holding the elections may adversely impact the recognition of the State team representing Karnataka as part of KSCA, potentially resulting in the players not being permitted to participate in domestic tournaments. Additionally, he expresses apprehension that prolonged uncertainty may invite the exercise of powers by the State Government under Section 27A of the Karnataka Societies Registration Act, 1960, culminating in the appointment of an administrator. 12. Taking into account the submissions advanced on behalf of all parties, this Court called upon Sri.K.N.Phanindra, learned Senior Counsel appearing for the Electoral Officer, to enquire and make his submissions regarding the feasibility of proceeding with the election. Upon receiving instructions from the Electoral Officer, Sri Phanindra conveyed that the Electoral Officer is prepared and willing to conduct the election strictly in accordance with a time frame to be fixed by this Court, and that such election may be held under the supervision of a former Judge of this Court, should this Court deem it appropriate. 13. The learned counsel for the intervenors expressed no objection to this proposal and initially suggested the name of an Hon&r's former Judge for supervising the election. However, upon attempts to secure his consent, it was conveyed that the learned former Judge would not be available on the relevant dates. Thereafter, the learned counsel for the Petitioners, having obtained prior consent, proposed the name of Hon&r's Shri Justice Subhash Adi, former Judge of this Court, to oversee the entire electoral process. The learned counsel for the intervenors have confirmed that they have no objection to the appointment of Hon&r's Shri Justice Subhash Adi, former Judge of this Court. 14. In view of the above, and in light of the consensus now arrived at among all parties appearing before this Court, it is clear that the elections are required to be conducted at the earliest in a fair, orderly, and transparent manner, under the supervision of a former Judge of this Court. As all parties agree that this Court need not adjudicate upon or interpret the clauses referred to above for the present purpose, the Court refrains from doing so. 15. Accordingly, the following directions are issued: 15.1. In view of the consensus recorded above, the election to the Karnataka State Cricket Association (KSCA) shall be conducted by the Electoral Officer under the supervision of Hon&r's Shri Justice Subhash Adi, former Judge of this Court, who is hereby appointed as the Supervisory Authority for the said election. 15.2. The Supervisory Authority shall be empowered to issue such directions to the Electoral Officer as may be necessary to ensure that the election is conducted in a fair, transparent, and orderly manner 15.3. The calendar of events issued by the Electoral Officer shall stand modified as under: Modified Calendar of events a Filing of Nominations: Nominations having already been received, no change is required to be made. b Scrutiny of nominations: Scrutiny of nominations was required to be carried out between 11:00 a.m. to 3:00 p.m. on 17.11.2025, which has lapsed. On instructions, Sri. K.N.Phanindra, learned Senior Counsel submits that scrutiny would be conducted on 24.11.2025 between 11:00 am to 4:00 pm. His submission is accepted. c Announcing list of valid candidates: List of candidates to be announced at 5:00 pm on 17.11.2025, which shall now be announced at 6:00 pm on 24.11.2025. d Withdrawal of candidature was to be made between 18.11.2025 to 19.11.2025 before 3:00 pm on 19.11.2025, the same now shall stand extended to 26.11.2025 before 3:00 pm e Announcing list of eligible candidates by 5:00 pm on 26.11.2025. f Date of elections: The elections shall be conducted on 07.12.2025 from 11:00 am to 7:00 pm, followed by the declaration of results. 15.4. The foregoing calendar of events has been finalised today in the presence of all learned counsel, with their consent. The election shall be conducted in a fair, open, and transparent manner, without any disturbance. As cricket is known as a gentleman&r's game, it is expected that the election process shall likewise be carried out in a

dignified and gentlemanly manner. 15.5. All stakeholders, including office-bearers, candidates, members, and staff of the KSCA, shall extend full cooperation to the Supervisory Authority and the Electoral Officer. No obstruction, interference, or attempt to influence the election process shall be tolerated. Any such act shall be viewed seriously. 15.6. It is clarified that the election shall be conducted strictly in accordance with the existing bye-laws of the KSCA and in conformity with the directions of the Hon&rsqutable Supreme Court governing the Association. Nothing contained in this order shall be construed as altering, modifying, or interpreting the governing provisions or the judgments of the Hon&rsqutable Supreme Court. 15.7. The Supervisory Authority shall be entitled to such honorarium and logistical assistance as may be fixed by this court, and the KSCA shall bear all expenses associated with the supervision of the election. 15.8. Upon completion of the electoral process, the Electoral Officer shall file a concise report before this Court recording compliance with these directions and confirming that the election has been conducted in a free, fair, and transparent manner. 16. I, therefore, pass the following order: ORDER 16.1. Writ petitions are allowed 16.2. Letter dated 17.11.2025 issued by respondent No.1- Electoral Officer to respondent No.2-KSCA at Annexure-A in W.P.No.34902/2025 is quashed 16.3. Electoral Officer is directed to conduct the elections as per existing bye-laws of KSCA and complete the elections as per the following calendar of events without being influenced by any interpretation sought to be given to the bye-laws under the supervision of Shri Justice Subash B Adi 17. Hand delivery ordered.

Nature of Disposal

: ALLOWED

Disposal Date

: 21-11-2025

Honorable Judge