Neutral Citation No. - 2023:AHC-LKO:69633-DB

Court No. - 1

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 936 of 2023

Petitioner :- Vipul Tripathi
Respondent :- Union Of India Thru. Secy. Ministry Of Youth Affairs And Sports , New Delhi And Others
Counsel for Petitioner :- Piyush Pathak
Counsel for Respondent :- A.S.G.I.,C.S.C.

Hon'ble Attau Rahman Masoodi,J.
Hon'ble Om Prakash Shukla,J.

1. Shri Kazim Ibrahim, Advocate, has filed his Vakalatnama on behalf of respondent no.2 -Board of Control for Cricket in India (hereinafter referred to as 'BCCI') and Shri Kartikey Saran, Advocate, has filed his Vakalatnama on behalf of respondent no.5-U.P. Cricket Association (hereinafter referred to as 'UPCA'). The same are taken on record.

2. Heard Shri Piyush Pathak, learned Counsel for the petitioner, Shri Kazim Ibrahim, learned Counsel for BCCI - respondent no.2, Shri Kartikey Saran, learned Counsel for UPCA-respondent no.5, Shri Devrishi Kumar, learned Counsel for Union of India.

3. Shri Kartikey Saran, learned Counsel for UPCA-respondent no.5, at the very outset has raised the preliminary objection reiterating the stand as was taken by Union of India against the maintainability of the present writ petition. It is urged that all the opposite parties other than Union of India are private parties

against whom a writ petition may not lie. That apart, it is argued that as per the Articles of Association of BCCI as well as UPCA, a body named 'Ombudsman' has been created to address the public grievances relating to ticketing and access and facilities at stadiums.

4. Attention of this Court was drawn to the grievances redressal mechanism provided under Article 41(d), which for a ready reference is reproduced hereinunder :-

> "*(d) By the Public against the UPCA*
>
> *Where a member of the public is aggrieved concerning ticketing and access and facilities at stadium, the same may be brought in the form of a complaint to the Ombudsman.*
>
> *Procedure :- The Ombudsman would adopt the same procedure as laid down in (c) above after referring the complaint to the CEO to solicit a report on the complaint."*

5. The position as regards redressal of grievances of the same nature in so far as BCCI is concerned, a provision *pari-materia* is stated to be available. For the present, the issue relating to ticketing are since dealt with by UPCA, therefore, a body, i.e. 'Ombudsman' is vested with the jurisdiction of dealing with all such grievances, therefore, it is submitted that the petitioners may be left at liberty to approach before the said authority, if the situation so warrants. Even otherwise, it is pointed out that the tickets have been made available at a price which is at par

with other stadiums in the country and the price was fixed having regard to the capacity and demand. The tickets are stated to be available at a reasonable price of Rs.1500/- and above looking to the availability and demand. The position as regards educational interest seems taken care of once it is pointed out that the entry of young students of all the Educational Institutions was made free in the events where demand for tickets was low.

6. In view of the fact that due care has been taken to advance the cause of sports education and a mechanism for redressal of the public grievances has also been created, we do not deem it appropriate to grant any indulgence in the matter with the liberty open to the petitioners to raise their grievance, if the same survives.

7. The writ petition is, accordingly, **disposed of**.

(Om Prakash Shukla, J.) (Attau Rahman Masoodi, J.)

Order Date :- 19.10.2023
Anand Sri./-

Digitally signed by :-
ANAND KUMAR SRIVASTAVA
High Court of Judicature at Allahabad,
Lucknow Bench