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The Western India Football Association Bombay Vs Bombay District Football Association and Others

A.F.O.No. 301 of 1988

Court: Bombay High Court

Date of Decision: Oct. 25, 1988

Acts Referred:
Specific Relief Act, 1963 â€" Section 34

Citation: AIR 1989 Bom 189 : (1989) 91 BOMLR 439

Hon'ble Judges: H. Suresh, J

Bench: Single Bench

Advocate: Ajit P. Shap, for the Appellant; D.K. Jha Suresh Chandrashekhar, Sseed Akhtar and N.K. Mudnaney, for the Respondent

Judgement

1. The Bombay District Football Association (Respondent/Plaintiff) had its first innings against . The Western India Football Association

(Appellant/Defendant1) in the Bombay City Civil Court at Bombay. I thought it was a draw, for that is the order. Apparently the Plaintiff-

Association is satisfied with the result. Not so. Western India Football Association, the Appellant. Hence this second innings. The main contest is

on the question who should have the right to organize and conduct the prestigious Court, so in games, it is all a matter of rules and regulations.

For when the one Great Scorer comes to write against your name . He marks not that you won or lost But how played the game

But before that a bit of history and certain essential facts:

2. The game of Football is organized in this country, on a three tier basis as per the guidelines issued by the Central Government . At the apex is

the All India Football Federation (Respondent 4) . It is a Society duly registered under the Societies Registrations Act , having all the State

Association in the country as its members. The A.I.T.P. (Respondent 4 herein) was established in the year 1937. The Constitution of the

Federation , inter alia, provides for the objects of the Association and its membership and also the conduct of tournaments in the country. Art, 3

provides for membership, and as per this Article, the membership consists of a State Association and Associations from the areas administered by

the Central Government and the Services Sports Control Board and the Railways Sports Control Board. The Federation conducts the National

championship at the Senior, junior and Sub-junior levels and the Federation Cups. Either by itself or together with the State associations. For this

purpose , the Federation has framed different rules and bye-laws for different kinds of tournaments. The Bye-laws provide for modalities of

conducting the National Championships and other important tournaments.

3. Then comes the State Association . the Appellant (Western India Football Association) is one such Association . the story goes back to 1890

when some British Soccer enthusiasts got together and formed the Rovers Club and brought into being the Rovers Tournament which was

inaugurated in 1891. In the year 1902 the Bombay Football Association formed to run a certain League Tournament. In the year 1911, the two

bodies , the old Rovers running the Rovers Cup and the Bombay Football Association managing the League were amalgamated and the Western

India Football Association (W.I.F.A.) was established , Irt was then a company ,But in 1945 , the W.I.P.A. was registered as a non trading

Corporation and thereafter as a public trust under the Bombay Public trust Act . This Association then took the place of the original Company ,

that is the Western India Football Association company Ltd. Under the constitution , the Members of the W.I.P.A.. The W.I.P.A. has held in the

past National Championship tournaments in the City of Bombay. It has been holding the Rovers Cup Tournament in Bombay since last 87 years .

If also holds state Level Tournaments , that is Maharashtra. There are as many as 24 District Association in the State of Maharashtra and they are

Members of the w.I.P.FA.

4. Then comes the District Association. The local Clubs and other local bodies who play football are the members of the District association. As

far as the City of Bombay and its Suburbs are concerned, it is treated as a District. He Plaintiff-Association is the District Association for Bombay

and its Suburbs. This Association came into being in the year 1983. The Clubs and teams numbering over 100 are the members of the Bombay

District Football Association (B. D. F. A.) Till 1983 all the tournaments and matches in the City of Bombay, whether local or state level, or All

India level or other wise, were conducted by the W.I.F.A. and all the teams and Clubs from the city of Bombay and its Suburbs were directly

affiliated to the W.I.F.A. After the formation of the Plaintiff-Association, initially they got itself affiliated to a body called The Manarashtra Football

Association, which, according to the Plaintiff-Association, was the State Association at that time. Sometime in March 1984, the W.I.F.A.

purposed an amendment to its Constitution, under which the city of Bombay was to be recognised as an area under the control of the W.I.F.A.

and all the Clubs and Teams in Bombay were to get direct affiliation with the W.I.F.A. This would, of course, affected the existence of the Plaintiff-

Association itself. Therefore, on or about 19th of March 1984, the Plaintiff Association filed a suit, being Suit No. 2106 of 1984 in the Bombay

City Civil Court at Bombay as against the W.I.F.A., A.I.F. F. as also the Union of India and the State of Maharashtra, claiming certain directions

,mainly to the effect that their Association has been duly registered and as such all the clubs and teams in the city of Bombay and its Suburbs have

become affiliated to their Association and the terms in the city of Bombay and its Suburbs have become affiliated to their Association and the

W.I.F.A. has no authority or right to interfere with the Plaintiff-Association. The Plaintiff-Association sought various other declarations and, in

particular, for a recognition that the Bombay District Football Association is the District Football Association, as far as the District Football

Association, as far as the Bombay City and Suburbs in the State of Maharashtra, are concerned, and for a further directaration that the W.I.F.A

does not have any right or authority to control the football game, as far as the Bombay City and Suburbs in the State of Maharashtra, is concerned,

and that the All India Football Federation has no authority to interfere with the affairs and functions of the Plaintiff-Association as per the

Constitution. This suit was contested by the Appellant-Association. The Plaintiff-Association had taken out a notice of motion in that suit, being

Notice of Motion No. 1724 of 1984, and the learned Judge by his order dated 4th April 1984 granted as injunction restraining the WI.F.A, from

conducting and controlling any local tournaments in the city of Bombay. The learned Judge also granted an injunction against he WI.F.A from

prohibiting the Plaintiff-Association from conducting and controlling the local tournaments including Nadkarni Cup Tournament which was to

commence in that season of April 1984, The W.I, F, A, appealed against this order, being Appeal From Order NO. 306 of 1984.

5. On 17the April 1984, the parties amicably settled their dispute by filing consent forms in the High Court. the relevant provisions of the consent

terms are as follows;-

The Appellant and the Respondent 1 hereby agree and undertake to work in harmony within their respective constitutions for the promotion of the

game of football.

2. The Respondent 1 (i.e. B.D.F..A.) agree and undertake to get itself disaffiliated from the Maharashtra Football Association on the express

undertaking given to this Honourable Court by the Appellant that they shall forthwith grant affiliation to the Respondent I and they further agree that

the Respondent I only shall conduct all the local tournaments including the Nadkarni cup Tournament ,Leagues and other local matches in the City

of Bombay and its suburbs and promote the game of football in the City of Bombay and its suburbs.

In effect, the WI.F.A conceded that they would not carry through the proposed amendment. In effect the consent terms recognised the status of

the Plaintiff-Association as the District Association and as such becomes a members of the W.I.F.A. An a result of the consent terms, the Plaintiff-

Association agreed to withdraw the said Suit No. 21066 or 1984 pending the Bombay City Civil Court at Bombay.

6. Apparently, after the consent terms one should have expected peace and harmony on all fronts and retreat from the Courts to the playground.

But that was not to be.

7. It appears that one of the objects of the B.D.F.A. was to recognise the Bombay Football Referees Association (Respondent 2) as the only

official referring organ of the B.D.F.A But on the other hand, W.I.F.A. had the Bombay Referees Association (Respondent 3) as its member and

was not willing to recognise the 2nd Respondent at this member. The Bombay Football Referees Association then filed Suit No. 6227 of 1985 in

the Bombay City Civil Court at Bombay as against all the other parties hereto far a declaration that the Said Association is entitled to referee all the

matches and tournaments, including the Rovers Cup and its Inter-District Tournaments and further claiming a declaration that they are entitled to

recruit new persons as Referees in Referees in any majecs or tournament to be held in the City of Bombay, etc. the main basis of the suit was that

by virtue of the consent terms, the B.D.F.A. got exclusive right to conduct all sorts of tournaments, either State level or National level or

International level in the City of Bombay and as the said Plaintiff-Association was affiliated to the B.D.F.A. it has got exclusive to referee all such

tournaments to be held in Bombay. It is their case that the consent terms wee binding not only on the W.I.F.A but also on the Bombay Referees

Association (Respondent 3.) on this Basis, after filing the suit, they took out Notice of Motion No. 501 of 1985 an d sought various interim reliefs.

The learned Judge, by an order dated 31st January 1986, granted an injunction against the 3rd Respondent herein which restrained them from

referring any match or tournament, which will he held in the Bombay City and its Suburbs. Respondent 3 then filed an Appeal against the said

order being Appeal from Order No. 586 of 1986 in this Court. if appears that eventually this Appeal was allowed and as against the same,

Respondent 2th Bombay Football Referees Association -filed a Letters Patent Appeal, which also came to be dismissed. And now I am told, a

review petition has been filed and the said Review Petition is pending before the Letters Patent Division Bench.

8. While the Appeal was pending, the B.D.F.A. filed the present suit, being Suit No. 5950 of 1986, out of which the present Appeal has arisen. In

the present suit, the B.D.F.A. sought a declaration that the WI.FA. (Appellants) are not entitled to and cannot contact any club affiliated to the

B.D.F.A. (the Plaintiffs) for recruitment of players, referees or any other officials from Bombay for participating in tournaments or matches, etc. the

Plaintiff-Association also soughs a further declaration that the W.I.F.A. cannot organise or conduct any tournaments or matches, whether the game

be inter-District, inter-State, All India, including Rovers Cup. National or International level, if the game is to be played in the district of Bombay

and its Suburbs but the game should be organised and conducted by the District Association of Bombay or the concerned District Association, as

is being done in the rest of the country, though the administrative control of the said tournaments may be with the 1st Defendants (W.I.F.A.) the

State Body. They have also sought a similar declaration as against Respondent. It is not clear from the plaint as to what was the immediate cause

of action to file the present suit, excepting, perhaps to support the BFR (Respondent 2) in their right as against BRA (Respondent 3) and W.I.F.A.

(Appellant). Soon thereafter the Plaintiffs took out the present Notice of Motion No. 4937 of 1986 for an injunction restraining the W.I.F.A. from

organizing or conducting any tournaments or matches, whether the same be inter-district, All India, National or International level or other matches,

including the Rover Cup in the District of Bombay or its Suburbs within the jurisdiction of the Plaintiffs. The second prayer is that the 1st

Defendants (W.I.F.A)cannot directly deal with any club or organisation affiliated to the Plaintiff for requirements of the players, referees, etc. There

are various other prayers which are not material for the purpose of disposing of this Appeal. This notice of motion was hotly contested. Finally, the

learned Judge by his Judgment dated 4th November 1987 passed the following order;

1.In Substitution of prayer (a) of the Notice, of Motion, the Defendant 1, the Western India Football Association are restrained from conducting

any championships tournaments or matches whether inter-District, National or International in the jurisdiction of the Bombay District Football

association, the Plaintiffs, independently of and by-passing the Plaintiffs, the Bombay District Football Association.

2. IN pursuance of prayer (b) of the Notice of Motion, the first Defendants the Wester India Football Association are restrained from contacting

or addressing directly any clubs affiliated to the Plaintiffs , the Bombay District Football Association for the requirements of the players from

Bombay and its Suburbs for participating in any kind of tournaments matches in or outsides of State of Maharashtra. The Defendant 1, the

Western India Football Association are restrained from allowing any club of team which was or is a members fo the Plaintiffs, the Bombay District

Football Association to participate in the tournaments or matches sponsored and held by the Western India Football Association directly and

without the confirmation of their entries by the Plaintiffs, the Bombay District Football Association

Rest of the prayers were not granted by the learned Judge.

9. As for as the second part of the order relating to prayer (b) of the notice of motion is concerned. Mr. Shah, the learned Counsel appearing for

the Appellant, has conceded, on instructions, that his client would not object to the same. But, however, as far as the first part of the order relating

to prayer (a) of the motion is concerned, in plain terms, it makes no sense. That is why, I called it a "draw". But since the Plaintiff-Association has

accepted it, it binds them, for implicit in the order is the recognition of the Fact that it is the Appellant-Association who will organise and run the

tournaments, but it enjoins upon it that the same shall not be done independently or by-passing the Plaintiff-Association.

10. Now, there are certain tournaments with regard to which, presently, there is no controversy, because they are not to be conducted in Bombay.

There are four National Tournaments, namely, Santhosh Trophy. Junior National Football Championship (Dr. B.C. Roy Trophy), sub-Junior

National Football Championship (Justice Meer Iqbal Hussein Trophy), and Jawaharlal Nehru Invitation International Goldcup Football

Tournament.

11. IN addition to the above, there are certain special tournaments. They are: (I) Durand Football Tournament, which is always played at Delhi

and is conducted by the Service Sports Control Board, Delhi, (2) I.F.A. Shield which is always played at Calcutta, (3) DCM Football

Tournaments, always held at Delhi by DCM Mills, and lastly (4) Rovers Cup Tournaments, always held at Bombay.

12. In addition to the above, there are open tournaments classified as Class I and class II Tournaments which are also known as Invitation

Tournaments.

13. Although the canvas has been spread out, the relevant dispute lies in a narrow compass. The BDFA says that any tournament, National or

Open Tournament, class I or Class II, if it is to be held in Bombay, the same shall be organised and conducted by them alone. As regards Rovers

Cup, it must necessarily be held in Bombay and it is the prerogative of the B.D.F.A. to run the same. If in the past, W.I.F.A. has done it, that was

because there was no District Association for Bombay. This is the core of controversy.

14. I take it that all tournaments are organised under certain rules and bye-laws. Therefore, it cannot be a mere ipso dixit of the Plaintiffs, and I

found no rule in support of the Plaintiffs" contention. Obviously, there are no statutory prescriptions in this behalf. Similarly, there is no bye-law

either in the Plaintiffs" Association or in the W.I.F.A."s Constitution, which says as to who should organise such tournaments. The relevant aims

and objects of the B.D.F.A. say this;

(f) to select teams to represent Bombay District in the State Tournaments and All India Level Football Tournaments.

(g) to encourage, promote, organise, conduct, regulate and assist in promoting and organizing Football Tournaments in the District and arrange to

hold District Football Championship or trials at places selected by the Executive Committee with a view to select the teams for the state

Championships and other recognised tournaments;

So also the relevant aims and objects of the W.I.F.A. say this:

(a) To frame rules for and promote and hold either alone or jointly with nay other association, club or person, association football and other sports

mettings, competitions, and matches, and to offer, give, or contribute towards prizes madals, and awards, and to promote give or support dinner,

balls, concerts, and other entertainments .

15.It is here we must consider the rules and regulations of the AIFF, the Federation. The Menorandum in this objects clause clearly sets out as

follows;

(g) to co-ordinate activity amongst members by holding tournaments and in other ways.

(j) to frame rules and bye-laws not inconsistent with the constitution"".

Then, there are rules as to how and to what extent the members of the Federation, be permitted to take part in the Tournament;

Article 5

No member shall take part in, or permit any Club or body within its jurisdiction to take part In any Tournament.

(a) which is not sanctioned by the Federation or a Member of the Federation;

(b) at which anything but a challenge cup or trophy is played for by team;

(c) at which prizes other than medals or miniature cups and shields of nominal value are awarded to nay individual players:

(d) at which payment is made to individual players for the participation in it.

Infringement of this shall be reported to the Federation, and be dealt with by the member concerned or at the request of the latter by the

Federation"".

Article 7

(a)(I) No Member shall consider an application from or permit any club from within the jurisdiction of another Member to take part in any

Tournament under it unless the application for entry and a list of not more than twenty-two players are forwarded by the Member to which the club

is affiliated with a certificate that the club and the players are duly registered and eligible to participate in the Tournament. This list of players shall

be submitted before the team takes part in the Tournament, if not submitted earlier. No player whose name is not mentioned In the list shall be

permitted to play for the club in the Tournament.

(ii) No Member shall invite any club from within the jurisdiction of another Member to take part in a Tournament under it except through the

Member it which the club is affiliated.

(b)(I) N0 Member shall permit a club affiliated to it to pay a friendly, exhibition or charity match or undertake a football four within the jurisdiction

of another Member unless request for such permission is made to it by the Member within the whose jurisdiction the match is going to be played or

the football four is proposed to be undertaken. Every such request for permission shall be accompanied by a statement of the venue, date and

other terms of the match, including the amount, if any ,payable for expenses or as donation to the club concerned. Such request shall be made on a

for prescribed . Permission, if granted, will be sent to the Member applying for it with a copy to the Federation. Any infringement or colourable

evasion (a) and (b) above shall be deal with by the Member concerned or by the Federation either on its own motion or on a reference made to it

by any Member of the Federation. The penalty in such cases shall be suspension of the club and he players concerned for a period not exceeding

two years, and during the period of suspension the club and the players are debarred from participating in competition, friendly, exhibition or

charity matches.

16. This is followed by Bye-laws for the actual conduct of various tournaments. As regards National championship Tournaments are concerned,

there are separate rules framed by the Federation for each of such Trophies. For exemple, for the 39th National Football Championship for

Santosh Trophy"" staged at Calcutta and Durgapur in the year 1983, the management was entrusted to the Indian Football Association. For the

year 1984, the Santosh Trophy was held at Madras and the management of the Tournament was entrusted to the Tamil Nadu Football

Association. Similarly, for the XII Junior National Football Championship for the year 1983 it was held in Goa and the management was entrusted

to the Goa Football Association (2nd Appellant). So also for the X Sub-Junior National Football Championship for the year 1986, it was held at

Shrinagar and the management was entrusted to the Jammu and Kashmir Football Association on behalf of the Federation. So also the 10th

Federation Cup Football Tournament 1986, the management was entrusted to Jannu and Kshmir Football Association. for the Tournament for the

year 1987, the management was entrusted to the Orissa Football Association, as the tournament was to take place at Cuttack (Orissa). There are

separate Rule for the Jawaharalal Nehur Invitation International Gold cup Football Tournament. The Federation itself manages the said

Tournament. I have referred to these Tournaments and the Championships to show that it is the All India Football Federation that decides as to

who shall manage the actual tournament or the Championship. Therefore it becomes clear that all National championship Tournaments are

conducted by the Federation and the management of each of such Tournaments is entrusted to such Member Association as the Federation thinks

proper. No local Association can insist on conducting or managing such tournaments just because the tournament or matches happen to taken

place within its jurisdiction. In fact, Mr. Jha did not assert this aspect of the matter at all in so far as it relates to National championships.

17. However, he asserted that as regards Class I Open Tournaments are concerned, even under the Bye-laws of the Federation, it is the District

Association that will have the right to conduct and manage such tournaments. In that he relied on Bye-law S. 1(a) which is as follows:

Rules for Tournaments, Clubs and Players:

i.(a) Open Tournaments will be organised and run either by the Member of the Federation with whose territorial jurisdiction the tournament is held

or by the appropriate regional association affiliated to the Member concerned, and by no other body or organisation. This, however, will not apply

retrospectively before 1959"".

18. Mr. Jan"s submission is that this Bye-law when read with Arts. 3 and 4 of the Memorandum of Association of the Federation should be

understood to mean that wherever there is a regional association in existence, that regional association will have the right to take Class. I Open

Tournament. I am afraid that that could be the meaning of this bye-law. This bye-law has to be understood in its context. It only says who can

organise an Open Tournament. The members of the Federation- in the present case. W.I.F.A - can organise and run such a Tournament. So also

an appropriate regional association- in the present case, B.D.F.A. - and it further says that no order body or club or organisation is eligible to run

such a tournament. It does not mean that wherever a regional association is there, that association alone and not the Member of the Federation, is

eligible to organise such a tournament. It is open to a regional association to run a Class I Tournament, provided the same is registered with the

A.I.F.F. annually, as provided under Bye-law 5.11(a)(4). Then there are various other by laws governing how registration has to be done, and on

what terms and how an open tournament could be conducted. Therefore just because a Class I Open Tournament happens to be In Bombay, it

cannot be said that B.D.F.A would automatically become entitled to organise and run such a tournament. It B.D.F.A is keen about organising

Class I Open Tournament in the City of Bombay or in its suburbs, it is still open to them to apply for registration in advance, as per the relevant

bye-laws of the Federation, though of course, the application has to go through the W.I.F.A.

19. Therefore, the very basis of the suit, on a careful scrutiny, cannot survive. The basis of the suit is while the Federation or the WIFA can

sponsor or administratively control the tournament, if the tournament is to take place within the territorial jurisdiction of a particular District

Association, it is that District Association alone that can conduct the tournament. As I said earlier, there is no support in the bye-laws. By and

large, as far as National Tournaments are concerned, it is for the Federation to decide. So also as regards Class I Open Tournaments, in the

present case, as I find, the Federation has not shown any inclination to entrust National Tournaments or Championships to the District Association.

And I find no fault in this. The Plaintiffs rely on an example where a District Association was entrusted with the conduct of National Championship

at Kozhikode and it appears that its management was entrusted to the District Association, by the State Association, namely, Kerala State by itself

cannot be a rule. As I said, as far as Class I Open Tournaments are concerned, it is open to the Federation to entrust the management of Open

Tournaments either to a Member, namely, the State, Association or to a Regional Association . in Kerala, the Federation had entrusted the

conduct of the National Tournament to the State Association, which in turn passed on to the District Association. That was matter between the

Federation and the local Association and no one had objected to the same. What I am trying to point out is that the Federation is not bound to

entrust the conduct of National Tournaments to a District Association. Mr. Shah has, in fact, submitted that in the previous suit .BDFA had not

made such a claim and had only asserted its right to conduct district championship and Madkarni Tournament. The memorandum of BDFA itself

talks of district championship and not any national championship.

20. This takes me to the question of conduct of the Rovers Cup, I have already said how the Rovers Cup came to be established I have not been

shown any rules and regulations relating to the conduct of Rovers Cup Tournaments. As I said, initially, Rovers Cup was initiated by the Rovers

Club and in course of time the Rovers Cup Tournaments came to be entrusted to WIFA. Since then the WIFA has been conducting the Rovers

Cup Tournament. It is not a mere local tournament as such. In his Tournament, tenants from outside the territory of Bombay are invited. It is in that

sense, it is an inter-State tournament. Therefore, the question is as to whether the Plaintiffs can insist upon conducting such a tournament by

themselves. By the same reason, as given above in respect of class I Open Tournaments. I must necessarily negative the contention of the Plaintiffs.

21. Ordinarily, if a Cup is donated by a donor, the terms and conditions as to how the Cup should be given or how the tournament should be

conducted would be a matter between the donor of the Cup and the Organisers for the same. Unfortunately, we have no particulars in that behalf,

excepting the history of the Cup as mentioned above. But what is significant is that in the Rules relating to the Federation, there is a mention of the

Rovers Cup and the Durand Cup Tournaments as also IFA Shield and the DCM Football Tournaments. It impliedly shows that it is again the

responsibility of the Federation, but not of these State Associations. There is no choice of venue and, therefore, necessarily there is no question of

entrustment of the management of these Cups from time to time. Since Rovers Cup Tournaments always take place in the city of Bombay. WIFA

as a member of the Federation, is naturally entitled to conduct and organise the Rovers Cup Tournaments. It has been so for the last 87 years .

unless there is a clear-cut bye-law, which compels the WIFA to entrust the management of the Rovers cup Tournaments. At the time of arguments,

across the bar, Mr. Jha submitted that since WIFA has been complaining of suffering loss in the conduct of Rovers cup. The BDFA would

conduct the same and would in addition offer to pay a certain percentage of amount realised to the WIFA . this offer, of course, ahs no place.

Rightly or wrongly, the BDFA has accepted the order of the Trial Court, which, as I said earlier clearly recognises the right of WIFA to conduct

and organise all such tournaments.

22. In the absence of any bye-law which supports the BDFA in their assertion, much stress has been laid on the consent terms. The learned Judge

tried to deal with this aspect of the matter. He interpreted the consent terms to mean that only the BDFA shall conduct all the local tournaments,

including Nadkarni Cup Tournaments. But he left it at that stage. He got confused. He sought to interpret this clause as if it implied that WIFA

cannot conduct these tournaments independently or without the co-operation of the BDFA. I think that cannot be the true meaning of the consent

terms.

23. The Consent terms has to be understood in its context. Prior to the formation of the BDFA, there was no organisation, as far as the District of

Bombay was concerned. Therefore, naturally all the local tournaments were also conducted by the WIFA. But after the consent terms, since

WIFA accepted the membership of the BDFA, as the District Association, naturally there would not no question of WIFA conducting any more

local tournaments, That is the meaning of the consent terms. As far as the local tournaments are concerned, it is the prerogative of the BDFA to

conduct such tournaments. But as far as inter-District, inter-State and all India, tournaments are concerned, that is the function of the Federation.

The consent terms expressly recognises the right of the BDFA to conduct all local tournaments and in that it included Nadkarni Cup Tournaments.

It impliedly prohibits any other Association from conducting such local tournaments. The jurisdictions have been clearly demarcated in the consent

terms. The emphasis is on the words ""local tournaments"" and the argument is that any tournament that is conducted with in territorial jurisdiction of

a District Association, is a Blocal tournament"". That obviously, cannot be accepted. If the argument is taken to its logical conclusion, a local club

can as well claim a right to conduct an international tournament, just because the venue happens to be within its jurisdiction ,or, on its playground.

The Blocal tournaments are not national tournaments or inter-State or inter-District tournaments. They are such tournaments that the local teams

participate, all within the jurisdiction of the association. Here, the BDFA.

24. In the result, I pass the following order:

ORDER

25. The impugned order dated 4/11th November, 1987, in so far as it relates to prayer (a) of the Notice of Motion, is set aside and the Notice of

Motion is dismissed in respect of all other prayers, excepting prayer (b) as granted by the learned Judge.

26. Appeal is allowed.

27. On the question of costs, I direct that Respondent No. I shall pay the costs of the Appeal to the Appellant. However, as regards the others,

they will bear their own costs.

28. Appeal allowed.