



2025:AHC-LKO:70252

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 8894 of 2025

C/M Cbse Board School Games Welfare Society
Thru. Authorized Signatory Mr. Rishi Pal Awasthi

.....Petitioner(s)

Versus

School Games Federation Of India Thru. Secy.
Gen. Directorate Of Secondary Edu. Lko. And 5
Others

.....Respondent(s)

Counsel for Petitioner(s) : Paavan Awasthi, Abhishek Awasthi,
Bhanu Bajpai, Suyash Bajpai

Counsel for Respondent(s) : C.S.C., Hari Prasad Gupta, Hari Ram
Gupta, Shashank Bhasin

Court No. - 17

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Sri Paavan Awasthi along with Sri Bhanu Bajpai, learned counsel for the petitioner, Sri Sanjay Bhasin, Senior Advocate assisted by Hari Prasad Gupta, learned counsel for the opposite parties.
2. By means of the instant petition, the petitioner- CBSE Board School Games Welfare Society has challenged the validity of an order dated 23.08.2025 passed by the School Games Federation of India (in short 'SGFI'), placing the petitioners under suspension
3. The learned counsel for the petitioner has challenged the validity of the suspension order on multiple grounds. He has submitted that the petitioner was given the show cause notice dated 11.06.2025 stating that the petitioner's society was operating without lawful authorization and was spreading a false impression of its official association with CBSE among stakeholders. The Show Cause notice also alleged that petitioners society was conducting activities that interfered with established sports governance structures and failed to maintain transparent procedures in its selections & operations.
4. Petitioner had submitted a reply to the show cause notice on 03.07.2025 stating that the Petitioner's Society does not claim any

authorization from CBSE and CBSE in its abbreviation does not include Central Board of Secondary Education, that all the selection procedures were published on the Petitioner's Society's website to maintain transparency. It was also submitted in the reply that the Petitioner's Society is a sports oriented referred society wholly distinct & independent of CBSE.

5. The learned counsel for the petitioner has submitted that the pleas taken by the petitioner in his reply to the show cause notice have not been dealt while passing the impugned suspension order. He next submitted that the suspension order has purportedly being opposed in exercise of powers under Article 17 (C-16), 32 and 32C. Articles 32 and 32C are applicable to federation members only whereas the petitioner is an affiliate member of SGFI and, therefore, no action can be taken against the petitioner in furtherance of the provisions contained in Articles 32 and 32(C).

6. So far as Clause 17 (C-16) is concerned, it authorizes the federation to impose and enforce penalties, including rules and regulations of the Federation, as amended in the year 2024) all the applicable statutes, rules and regulations issued by the Ministry of Youth Affairs and Sports.

7. The learned counsel for the petitioner has relied upon the provisions contained in Article 17 C-26, which provides that, No member shall be suspended without due adherence to the principles of natural justice. He has submitted that the show cause notice issued to the petitioner was not accompanied by the relevant documents and other material and, therefore, violates the principles of natural justice.

8. The provisions regarding suspension of members is contained Clause 5 of the Rules and regulations of the Federation, as per sub-Clause c whereof provides that:- *"where the Board of Management is satisfied that failure to take immediate action would cause irreparable prejudice to the reputation and/or functioning of SGFI, it may, by way of a written communication recording such satisfaction as well as the relevant facts and reasoning accompanying the same, suspend a Member with immediate effect. Such suspension shall be placed before the General Body at its immediate next meeting along with any response received*

from the suspended member. A member suspended by the Board of Management shall be granted thirty (30) days to respond in writing to the grounds of suspension and such response shall be circulated to the General Body at least fifteen (15) days before the meeting at which the vote on the suspension of the Member is tabled. The suspension must be confirmed by a majority of the members of the General Body present and voting. Provided the quorum of the General Body is complete."

9. Per contra, learned Senior Counsel representing the opposite parties has submitted that the petitioner is using the term 'CBI' in its nomenclature, which is misleading. There are serious complaints against the petitioner including the complaints of taking money from the participants and committing certain financial irregularities. He has submitted that suspension of the petitioner has been taken for the aforesaid reasons and at the same time, the federation is concerned about students enrolled with the petitioner and, therefore, it has specifically been provided in the impugned suspension order that notwithstanding suspension of the petitioner, students of CBSE affiliated schools shall be permitted to participate in SGFI events through the CBSE units and such participants shall not be impaired by this suspension.

10. The petitioner is registered with SGFI as an affiliate members since the year 2012 and it is participating in national games since the year 2019. CBSE was not registered with SGFI and CBSE directly did not use to send any students for participation in national games through SGFI till the year 2024 and it has got registered itself with SGFI in the year 2024.

11. Without going into the merits of the allegations levelled against the petitioner and the petitioner's explanation, what appears to be undisputed at this stage is that the petitioner has been registered with SGFI for a considerable long period and its member students have been allowed to participate in the national games for the past several years. Since CBSE did not seek its affiliation with the opposite parties till very recently and students of CBSE schools were participating in the national games conducted by the opposite parties through the petitioners Society. It appears that the students are going through a transitional phase and the transition is apparently jeopardizing their interest as well as the interest

of the sports itself.

12. The correctness of the allegations are yet to be inquired by a detailed enquiry in which the petitioner will be permitted to participate.

13 .The main allegation of misuse of the name relates to conduct of the petitioner continuing since long and there appears to be no immediate cause of action for taking action on the said allegations and no immediate evil effect that may be caused thereby.

14. So far as the other allegations are concerned, there is no material available before the Court at this stage and no satisfaction is recorded in the impugned suspension order to the effect that failure to suspend the petitioner immediately would cause any irreparable prejudice to the reputation and or functioning of the SGFI.

15. In these circumstances, in the considered view of the Court, the interest of justice would be served, in case the petitioner's suspension is set aside and the students enrolled with petitioner are permitted to participate in the upcoming national games. However, it is necessary to leave it open for the opposite parties to hold a proper enquiry into the allegations levelled against the petitioner, in accordance with law as well as the relevant rules and regulations of the federation and to conclude the same expeditiously and pass a final order regarding validity of the membership of the petitioner. It goes without saying that the petitioner will cooperate with the enquiry.

16. In view of the aforesaid, the petition stands *disposed off*.

(Subhash Vidyarthi,J.)

November 7, 2025

Preeti