

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 19417/2024

Bikaner District Body Building Association, Having Its Registered Office At Lakhavat House, Damani Chowk, Bikaner, Through Its President-Shri. Arun Kumar Vyas, Son Os Shri. Bhanwar Lal Vyas, Aged About 43, Resident Of 87, Lakhavat House, Damani Chowk, Bikaner.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Co-Operative Societies Department, Government Of Rajasthan, Jaipur, Rajasthan.
2. Registrar, Co-Operative Societies, Jaipur, Rajasthan.
3. Deputy Registrar, Co-Operative Societies, Bikaner, Rajasthan.
4. District Sports Officer, Karni Singh Stadium, Bikaner, Rajasthan.
5. Rajasthan State Body Building Association, Having Its Registered Officer At Robust Gym, D-148, Hanuman Nagar, Queen Road, Jaipur-21, Through Its President Naveen Yadav.
6. Shri Trilok Narayan Purohit S/o Shri. Som Narayan Purohit, Resident Of Khedani Purohito Ki Gali, Mundharo Ki Chowk, Bikaner, Rajasthan-334001.
7. State Of Rajasthan, Through The Secretary To The Govt. Department Of Youth Affairs And Sports, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Anand Purohit, Sr. Adv. with Mr. Amit Kumar Purohit
For Respondent(s)	:	Mr. Nrapen Shankar Acharya Mr. Nathu Singh Rathore, AAG Mr. Arpit Samariya Mr. Digvijay Singh Ms. Shanu Prajapat

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

24/02/2026

1. Heard on stay application No.19559/2024.
2. Having heard the learned counsel for the parties, this Court finds that the petitioner-association is registered under the Rajasthan Sports (Registration, Recognition and Regulation of Associations) Act, 2005 (hereinafter referred to as the "Act of 2005"). The association was granted affiliation by the Rajasthan State Body Building Association on 01.08.2004.
3. The Rajasthan State Body Building Association, vide order/communication dated 14.11.2024, cancelled the affiliation of the petitioner-association on the grounds that it had not conducted district-level competitions since last six years; had not deposited/produced the annual audit reports of the association; and had committed a large number of financial irregularities.
4. Thereafter, the Rajasthan State Body Building Association vide order/communication dated 15.11.2024 appointed an ad hoc committee which was assigned the task of conducting fresh elections of the Bikaner District Body Building Association and, until the elections are conducted, to organize various sports activities.
5. This Court, after hearing the learned counsel for the parties and perusing the provisions of the Act of 2005, finds that as per Section 21, a State Level Sports Association may, after giving due hearing, de-affiliate any District Level Sports Association if it has failed to fulfill any of the obligations laid down under Chapter VIII of the Act of 2005 for two consecutive years, and shall inform the Registrar, who may take appropriate action under Section 24. Sections 23 and 24 of the Act of 2005 clearly stipulate that an

inquiry before de-affiliation or for non-fulfillment of the obligations as laid down in Chapter VIII shall be conducted by the Registrar, i.e., the Registrar referred to in Section 4 of the Rajasthan Co-operative Societies Act, 2001. The Registrar, before de-affiliating a District Level Sports Association or appointing an ad hoc executive committee until fresh elections, shall hold an inquiry after giving an opportunity of hearing to the affected association.

6. In the present case, *prima facie* it appears that the procedure prescribed for de-affiliation of the District Level Sports Association and for appointment of an ad hoc committee and/or holding fresh elections under Sections 21, 22, 23 and 24 has not been followed by the Rajasthan State Body Building Association prior to issuing the impugned orders dated 14.11.2024 (Annexure-6) and 15.11.2024 (Annexure-7). The petitioner-association was de-affiliated and an ad hoc committee was appointed in utter disregard of the principles of natural justice.

7. This Court also finds that as per Section 16 of the Act of 2005, in case of any dispute relating to the constitution, management, activities, elections, or claim of affiliation of any sports association, the matter may be resolved through conciliation and arbitration. However, in the present case, since *prima facie* the impugned orders have been issued in violation of and in disregard to the provisions contained under Sections 21 to 24 of the Act of 2005, and the present writ petition has been pending before this Court since 19.11.2024, and considering that the rule of alternative remedy is a self-imposed restriction on the exercise of writ jurisdiction under Article 226 of the Constitution of

India, this Court is not inclined to dismiss the present writ petition at this stage on the ground of availability of an alternative remedy.

8. Accordingly, it is ordered that, in the meanwhile and during pendency of the writ petition, the effect and operation of the impugned orders dated 14.11.2024 (Annexure-6) and 15.11.2024 (Annexure-7) shall remain stayed, and the petitioner-association shall be allowed to work and function in District Bikaner in conformity with the Act of 2005 until its members complete their tenure.

9. The stay petition No.19559/2024 stands disposed of.

S.B. CWP No.19417/2024:-

Issue notice.

Mr. Nathu Singh Rathore, AAG accept notice on behalf of respondents No.1, 4 and 7.

Mr. Nrapen Shankar Acharya, Advocate accept notice on behalf of respondent No.6.

Issue notice to respondent No.5 only, returnable within a period of eight weeks.

(KULDEEP MATHUR),J