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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Order: 12.02.2019*

+ **F.A.O.No.541/2018 & C.M. No.49484/2018**

YOUNGSTERS FC ..... Appellant  
Through: Mr. Rakesh Mukhija & Chitanshu,  
Advocates.

Versus

FOOTBALL DELHI (DSA) ....Respondent  
Through: Mr. Piyush Joshi, Advocate.

**CORAM:**  
**HON'BLE MR. JUSTICE VINOD GOEL**

1. Mr. Piyush Joshi, learned counsel for the respondent states that the respondent is in the process of constituting a fresh arbitral tribunal in order to hear the appeal filed by the appellant challenging the order dated 14.07.2018 which was communicated to him on 03.08.2018. On 30.11.2018 after hearing both the parties, this court has passed the following order :-

- “1. *Mr. Piyush Joshi, Advocate has put in appearance on behalf of the respondent.*
2. *The appellant is a club of persons/individuals playing football, which has participated in football competitions at different levels. The appellant club is registered with the respondent (DSA) which is an association of numerous football clubs of Delhi. The appellant is a permanent member of the respondent. Admittedly, the appellant was in the ‘A’ Division. DSA by an order dated 03.08.2018 conveyed its decision dated 14.07.2018 to the petitioner that they have been relegated to Division ‘B’ and imposed a*



*fine of Rs.5,000/-. Apart from that its Manager i.e. Sh. Jai Kishore and Coach i.e. Mr. C. Bhandari were debarred from taking part in any activities related to football in Delhi for a period of one year. Sixteen players of the appellant, who were listed in the match (in the year 2016) were reprimanded for their behaviour.*

3. *The appellant assailed the order dated 03.08.2018 on 23.08.2018 by way of an appeal as per the Rules set out by the respondent. However, no Arbitral Tribunal was constituted as was required by the rules, which led the appellant to file a petition under Section 9 of the Arbitration & Conciliation Act, 1996 before the court of the learned Additional District Judge-02, Central District, Tis Hazari Courts, New Delhi ('ADJ'). The matter was taken up by the learned ADJ on 03.11.2018 wherein the respondent placed on record a copy of the order dated 26.09.2018 by which the Arbitral Tribunal consisting of Sh. Rajinder Bakshi, Mr. Arjun Singh Bawa and Mr. Amit Bhagat was constituted.*
4. *The learned counsel for the appellant contends that Sh. Arjun Singh Bawa has disclosed that he has represented the respondent in a final hearing in an appeal before the Arbitral Tribunal in the case titled as 'Hindustan Football Club, Delhi & Anr. Vs. Managing Committee DSA & Anr. in May, 2018. He further points out that in the FAO No.466/2018 filed by the appellant against the respondent, Ms. Ambika Vohra, Advocate has put in appearance on behalf of the respondent on 26.10.2018. The learned counsel has also placed on record a copy of the email addressed by Sh. Arjun Singh Bawa from his email id- [arjunsbawa@arimuslaw.com](mailto:arjunsbawa@arimuslaw.com) to [ambika@arimuslaw.com](mailto:ambika@arimuslaw.com) which reflects that she is working in the law firm of Sh. Arjun Singh Bawa. He*



*has placed on record a copy of email dated 28.11.2018 sent by Sh. Arjun Singh Bawa to the effect that Sh. Rajindar Bakshi, Chairperson would not be available in Delhi till 15.12.2018.*

5. *Learned counsel also submits that Sh. Arjun Singh Bawa intends to recuse from the proceedings of the Tribunal and Sh. Rajinder Bakshi is not available. Hence, virtually his appeal is not being heard.*
6. *In the circumstances, the appellant cannot be left remediless. Therefore, till the next date of hearing the order dated 14.07.2018 communicated to the appellant on 03.08.2018 shall remain in abeyance. This shall not prevent the respondent from constituting a fresh arbitral tribunal and the newly constituted tribunal shall continue hearing the aforesaid appeal.*
7. *List on 16.01.2019.”*

2. Since the respondent is still taking time to constitute the arbitral tribunal as per their rules to hear the appeal against the impugned order dated 14.07.2018 communicated to the appellant on 03.08.2018, the above order dated 30.11.2018 of this court is made absolute. The impugned order dated 14.07.2018 as communicated to the appellant on 03.08.2018, shall remain in abeyance till disposal of the appeal before the arbitral tribunal. The appeal along with application, being C.M. No.49484/2018, is disposed of accordingly.

**(VINOD GOEL)  
JUDGE**

**FEBRUARY 12, 2019  
'AA'**