

Case No. 18(OMB) of 2025

Sub: Complaint against Subrata Saha, a member of the Finance Sub-Committee of the Cricket Association of Bengal residing at 33/B, Indra Biswas Road, Belgachia, Kolkata- 700037.

Ref: Complaint under Rule 70 of the CAB Rules before the Hon'ble Ombudsman, CAB.

Present:-

For Complainant

Mr. Dipak Ranjan Mukherjee, Advocate.

For Opposite Party

Mr. Sandip Kumar De, Advocate.

For CAB

Mr. Samrat Sen, Senior Advocate.

Order No. 1 Dated 6th September, 2025.

Mr. Mahadeb Chakraborty, the complainant submitted a complaint under Rule 70 of the CAB Rules before the undersigned, complaining violation of various provisions of Rule 66(2), 67(1) and 67(2) etc. of the Memorandum and Rules of the Cricket Association of Bengal by Mr. Subrata Saha, a member of Finance Sub-Committee of CAB. However, in the caption of the said complaint, it was mentioned that the complaint was filed under Rule 70 of the CAB Rules before the Hon'ble Ombudsman, CAB.

Reading the complaint in between the lines it does not appear that the provision of Rule 70 and/or violation thereof was ever referred to in the said complaint.

The primary allegation against Mr. Subrata Saha relates to "conflict of interest" with CAB as over the period of time, excessive payment has been made by CAB to ASL Prime Hotel LLP in which Mr. Subrata Saha is one of the partners. It is

also alleged that being a Member of the Finance Sub-Committee, Mr. Subrata Saha ought not to have participated in any of the meetings of the Finance Sub-Committee in which payment by CAB to ASL Prime Hotel LLP was recommended and/or approved.

Mr. De, learned Advocate appearing for the complainant prays for immediate suspension of Mr. Subrata Saha, from the post of a member of the Finance Sub-Committee of the Cricket Association of Bengal & also invited the undersigned to pass another interim order, directing CAB not to make any further booking with ASL Prime Hotel and/or release any payment to either ASL Prime Hotel or to ASL Prime Hotel LLP.

Mr. De, thus invited the undersigned to hear out the said complaint on merit, after issuance of show-cause notice upon Mr. Subrata Saha.

Mr. Sen, learned Counsel appearing for the CAB informs the undersigned that dispute which is sought to be raised by the complainant in this complaint does not fall either under Rule 70 (1) (a) or under Rule 70 (1) (d) of the Memorandum and Rules of CAB. According to him, such a dispute does not come directly to the Ombudsman. He further contended that even if it is found that the dispute which is sought to be raised in the complaint comes under Rule 70 (1) (b) and/or Rule 70 (1) (c) of the said Rules, still then; such complaint cannot be made to the Ombudsman directly. If such a dispute comes under Rule 70 (1) (b) or Rule 70 (1) (c) then a complaint is required to be filed before the Apex Council first.

Mr. Sen further contended that, no such complaint has been submitted by the complainant before the Apex Council.

Mr. Sen also contended that the complainant has already submitted a complaint, complaining violation of several Rules being Rules 66, 67(1), 67(2) of the CAB Rules by Mr. Subrata Saha before the Ethics Officer.

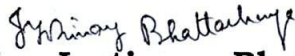
Mr. Sen further informs the undersigned that the said complaint is fixed for hearing before the Ethics Officer on 10th September, 2025 at 5 p.m.

Drawing the attention of the provision contained in Rule 68 of the said Rules. Mr. Sen contended that the reliefs which the complainant has claimed against Mr. Subrata Saha in the complaint submitted before the Ombudsman are exactly the same which were prayed for by the complainant before the Ethics Officer. Mr. Sen further contended that reliefs by way of suspension of Mr. Subrata Saha which the complainant has claimed before the Ethics Officer can be considered by the Ethics Officer under Rule 68 (3) (b) of the CAB Rules.

Mr. Sen thus contended that when the Ethics Officer is wholly empowered to consider the reliefs which are claimed by the complainant in the complaint submitted before the Ethics Officer, identical complaint with identical reliefs should not be entertained by the undersigned as entertainment of such complaint by the undersigned will amount to sheer abuse of judicial process. He thus prayed for dismissal of this complaint before the undersigned.

The undersigned finds substance in such submission of Mr. Sen. A copy of the complaint which was submitted by the complainant before the Ethics Officer has also been submitted before the undersigned. The undersigned has considered the said complaint and finds that the reliefs claimed in this proceeding are exactly identical with the reliefs claimed in the complaint filed before the Ethics Officer. As such, to avoid multiplicity of proceeding, abuse of the process of law, and conflict of decisions, the undersigned declines to entertain this complaint.

The Complaint is thus disposed of.


Justice Jyotirmay Bhattacharya
Former Chief Justice, High Court at Calcutta,
Presently, Ombudsman, Cricket Association of Bengal