

Case No. 13(OMB)/2025

Mr. Mridul Beria Complainant

Re: Reference arising out of the application by Mridul Beria regarding allocation of tickets.

Present:

For Complainant

Mr. Bishwaroop Bhattacharya, Senior Advocate

Mr. Kaustav Banerjee, Advocate.

Mr. Akash Roy, Advocate.

Mr. Bikash Shaw, Advocate.

For NCC

Mr. Amitesh Banerjee, Senior Advocate.

Mr. Debangshu Dinda, Advocate.

For CAB

Mr. Samrat Sen, Senior Advocate

Order No. 9 dated 13th June, 2026.

The present complaint has been filed by the complainant praying for several reliefs which are as follows:

- a. Direction upon the CAB not to interfere in the rights of the Life Members to receive tickets for all International matches.
- b. An order be passed directing an enquiry against the Hony. Secretary, CAB for publishing and distribution 17,000 complimentary tickets more or less contrary to the decision of the Apex Council in its meeting held on 19th October, 2023.
- c. Direction upon the CAB not to interfere in the rights of Life Members to receive tickets for all ICC events held at Eden Gardens, Kolkata.
- d. Declaration that there is no correlation between the tickets given to National Cricket Club (NCC) of Society for Sports

and Stadium (SSS) of 'Life Members, Associate Members & Annual Members" as all of them are different and have historical values and separate arrangements with the CAB.

- e. Declaration that the Special General Meeting of the CAB held on 2nd March, 2025 amending Rule 17(ii) of the CAB Rules whereby seeking to exclude Life Members from ICC even ticket entitlements is arbitrary, *ultra vires*, and unconstitutional.
- f. Investigation and Disclosure of the 17,697 complimentary tickets distributed by the CAB during the ICC World Cup, 2023 matches held at Eden Gardens, Kolkata including recipient details.
- g. Stay or set aside the Resolution amending Rule 17(ii) of the CAB Rules passed in the Special General Meeting of the CAB held on 2nd March, 2025.

Apart from the reliefs as prayed for in prayer (b) and prayer (f) of the said application, all other reliefs which are claimed by the complainant/petitioner relate to exercise of their right to enjoy the privilege of free access for all International Matches including ICC events held at Eden Gardens Stadium. The complainant claims that it being a "Life Member" is entitled to enjoy the said benefit under Rule 17(ii) of the CAB Rules. The complainant also contended that the proposed amendment of Rule 17(ii) of the CAB Rules, adopted in the Special General Meeting of CAB held on 2nd March, 2025, seeking to exclude the Life Members from ICC event Ticket entitlements, is arbitrary, *ultra vires* and unconstitutional.

The Undersigned is informed by Mr. Sen, Ld. Senior Counsel appearing for CAB, that though the aforesaid proposed amendment was

approved by the Hon'ble Supreme Court of India but it has not yet been recorded in the Records of the Registrar of Societies and Associations, West Bengal.

The amendment as mentioned above, in my view, is not enforceable, awaiting recording of the same in the Records of the Registrar of Societies and Associations, West Bengal.

In the above background, the right of the complainant has to be adjudged and /or considered in the light of the existing Rules of CAB.

The complainant claims that their rights emanate from Rule 17(ii) of the CAB Rules which is set out hereunder:

“Rule 17(ii) – Life Members, Associate Members, Annual Members, Honorary Members (when enrolled) and Special Members shall have no right to participate in the control and/or management of the Association, nor any right to attend any Annual General Meeting or Special General Meeting of the Association, but shall enjoy the only privilege of free entrance to all Cricket matches organized by the Association except Charity or Benefit or other matches for benevolent purposes and the matches which will be allotted by the Board of Control for Cricket in India on the condition of levying charges to members”

As a matter of fact, an identical challenge was made by Mr. Bhudeb Mukherjee and Ors. in a writ petition being W.P.O. No. 591 of 2024 (Bhudeb Mukherjee and Ors. –Vs- The Board of Control for Cricket in India and Ors.) which was referred to the Undersigned for deciding the dispute raised in the said writ petition.

The parties were heard at length and ultimately the dispute which was raised in the said writ petition was decided by the Undersigned on 11th April, 2026. After examining the provision contained in Rule 17(ii) of the CAB Rules and also the Contract entered between the Members and CAB, it was

held in clear terms that though the Life Member, Associate Member and the Annual Member have the right to enjoy the privilege of free access for the matches organized by CAB at Eden Gardens but they do not enjoy such right of free tickets / free access for the matches organized by ICC / BCCI etc. at Eden Gardens. Accordingly, the said complaint was disposed of, by deciding the rights of the parties in this regard finally.

Mr. Bhattacharya, Ld. Senior Counsel appearing for the Complainants, in course of his argument, has not argued any further point of attack apart from the issues which were raised earlier and had already been decided by the Undersigned, in the earlier complaint of Mr. Bhudeb Mukherjee relating to their rights of free tickets for the International Matches organized by ICC / BCCI at Eden Gardens.

Since the above issue has already been finally decided by the Undersigned in the aforesaid complaint of Mr. Bhudeb Mukherjee and Ors., the Undersigned need not decide the said issues afresh. The decision of the Undersigned taken in the complaint of Mr. Bhudeb Mukherjee and Ors. is binding upon the present complainant.

Mr. Bhattacharya, however, contended that the reliefs which were claimed by the complainant in prayer (b) and prayer (f) of the present application based on the cause of action mentioned therein, were neither raised nor involved nor decided by the Undersigned while disposing of the earlier complaint of Mr Bhudeb Mukherjee. As such, he invited the Undersigned to decide the said dispute relating to their prayer for holding an enquiry against the Hony. Secretary, CAB for publishing and distributing 17,000 complimentary tickets more or less contrary to the decision of the Apex Council in its meeting held on 19th October, 2023.

Mr. Bhattacharya contended that the causes of action based on which the aforesaid reliefs were claimed were mentioned in details in paragraph 9, 10, 14 and 15 of the present complaint / petition. He also drew the attention

of the Undersigned, to the Order No. 2 dated 23rd August, 2025 and the Oder No. 4 dated 10th January, 2026 whereby direction was given upon the CAB to file affidavit and/or to produce the records and/or to give inspection of the documents relating to the complaint of the complainant. He complained that none of such directions was complied with by the CAB. He further contended that this is an act of fraud which vitiates everything and investigation is necessary to unearth the true notwithstanding the complainant or the petitioner has any locus to maintain the present complaint.

Mr. Sen Ld. Senior Counsel appearing for the CAB, contended that even this issue was raised by Mr. Bhattacharya earlier, in course of, hearing of the complaint of Mr. Bhudeb Mukherjee and Ors. as aforesaid (Case No. 4 (OMB) of 2025) and this issue was also resolved by the Undersigned while deciding the said complaint on 11th April, 2026. The relevant part of the Order of the Undersigned passed on the aforesaid complaint of Mr. Bhudeb Mukherjee and Ors. is set out hereunder:-

“With regard to the next contention of Mr. Bhattacharya regarding the breach of transparency provision as contained in Rule 66(8) of the CAB Rules, the Undersigned wants to refer to the conditions on which they were enrolled as communicated to them by the CAB vide its letter as mentioned above as well as the provision contained in Rule 17(ii) of the CAB Rules which put a total embargo and/or restriction on the right of such members to participate in the control and/or management of the Association. Such Members were not even given any right to attend the Annual General Meeting or the Special General Meeting of the Association. In my considered view, such Members who were given a restricted right only to enjoy free entrance facilities at the Matches organized by CAB to be held at Eden Gardens, cannot control the activities of CAB in a circuitous way by complaining that CAB breached

the transparency provision by not publishing certain data regarding printing of number of complementary tickets for the World Cup Match held in 2023, in their Official Website, for want of their locus. I fully agree with such submission of Mr. Sen and hold that the complainants are not eligible to enforce any right which they otherwise do not enjoy either by virtue of their conditional enrollment as members of CAB or by virtue of the provisions of the CAB Rules.”

Having regard to the decision already taken by the Undersigned on the above issue in the earlier complaint of Mr. Bhudeb Mukherjee and Ors. no further discussion is necessary to resolve the issue so raised by Mr. Bhattacharya in this regard. If the complainant does not have any locus to control the activities of CAB, the complainant cannot be permitted to raise such challenge in a circuitous way.

Accordingly, the Undersigned holds that this challenge also fails as the complainant has no locus to raise such challenge under Rule 66 (8) of the CAB Rules.

The above issue raised by Mr. Bhattacharya thus decided accordingly. The present complaint/ petition of Mr. Mridul Beria is thus disposed of before the Undersigned.

CAB is directed to communicate this order to all concerned, at the earliest.

Jyotirmay Bhattacharya

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