

**BEFORE HON'BLE MR. JUSTICE M.M. KUMAR (RETD.)  
FORMER CHIEF JUSTICE, HIGH COURT OF J&K,  
OMBUDSMAN-CUM-ETHICS OFFICER  
DELHI & DISTRICT CRICKET ASSOCIATION (DDCA)**

IN THE MATTER OF

Naveen Jindal ..... Complainant

Versus

Shashi Khanna & ors. .... Respondents

Present:

**For Complainant:**

Mr. Gautam Dutta, Advocate for the Complainant  
along with the complainant

**For Respondent:**

Mr. Sameer Dewan, Advocate

**For DDCA:**

Mr. Saurabh Chadda and Mr. Rohit Bhagat, Advocates

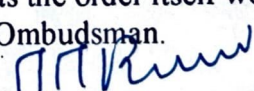
**ORDER**  
**(DATED 23.12.2023)**

1. At the outset Mr. Sameer Dewan, learned counsel for the Respondent – Mrs. Shashi Khanna has requested for an adjournment on the ground that he has been engaged yesterday as the earlier counsel is busy with his daughter's marriage. Accordingly, he has sought time.
2. Mr. Saurabh Chadda, learned counsel for DDCA has pointed out that a preliminary objection has been raised with regard to the jurisdiction of the Ombudsman to decide the issues raised in this complaint and has questioned the maintainability of the complaint. According to Mr. Chadda, once Articles of Association / Memorandum of Association are questioned or to be interpreted, then the competence to go into the question is with the National Company Law Tribunal. In that regard, he has cited many judgments.
3. A perusal of the Order passed on the last date of hearing i.e. 15.12.2023 shows that pleadings were to be completed by 22.12.2023 i.e. yesterday.



However, on account of the reasons given in the email sent by Mr. Sameer Dewan, Respondent No. 1 has not filed any reply.

4. At this stage, I granted time to Mr. Sameer Dewan to seek instructions from Respondent No. 1 as to whether she would continue participation in the proceedings of the DDCA or till the final order is passed, she will discontinue her participation, as Vice President, in the AGM or Apex Council meetings of DDCA. Accordingly, time is granted to re-convene the meeting at 12 o' clock.
5. On the resumed meeting, Mr. Sameer Dewan, learned counsel for the Respondent No. 1 has reported instructions that Mrs. Shashi Khanna will not participate as Vice President either in the meeting of AGM or Apex Council or any other meeting in her capacity as Vice President. He has also stated that as abundant caution, his client i.e. Mrs. Shashi Khanna did not participate in the meeting of the Apex Council held on 03.12.2023. However, as a Member (J-450), she would participate because there is no age bar of 70 years as far as Members are concerned. The statement made by Mr. Sameer Dewan is taken on record and Respondent No. 1 shall abide by it till further orders. Further, Mr. Sameer Dewan is granted time to file reply on behalf of Respondent, No. 1 on or before 15.01.2024, with copy in advance to the counsel for other parties.
6. Mr. Chadda has contended that the maintainability issue must be decided before taking up the case on merits and he is ready with his arguments today. However, I deem it appropriate that the said issue will be dealt with after reply is filed by Respondent No. 1.
7. List on 22.01.2023 at 4.30 PM via video conferencing.
8. The parties and their respective counsel(s) are directed to maintain the sanctity of the order passed by Ombudsman and shall not display the same on the social media etc. or any similar platform as the order itself would be available at the web-site of DDCA dedicated to Ombudsman.

  
JUSTICE M.M. KUMAR (RETD.)  
FORMER CHIEF JUSTICE, HIGH COURT OF J&K  
OMBUDSMAN-CUM-ETHICS OFFICER (DDCA)

23.12.2023