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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12915/2024 & CM APPLs. 53789-53790/2024**

ANWAR ALI

.....Petitioner

Through: Mr. Sarim Naved and Mr. Harsh
Kumar, Advocates.

versus

ALL INDIA FOOTBALL FEDERATION & ORS.Respondents

Through: Mr. Prateek K. Chadha and Mr.
Sreekumar Aechuri, Advocates for R-
1.

Mr. Aditya Sondhi, Senior Advocate
with Mr. Shivam Singh, Mr. Ishwar
Singh, Mr. Abhinav Singh, Mr.
Shubham Janghu, Mr. Yoshit Jain and
Mr. Anubhav Kumar, Advocates for
R-3.

Mr. Rajiv Nayar, Mr. Dayan Krishnan
and Mr. Jayant Mehta, Senior
Advocates with Ms. Vanita Bhargava,
Mr. Ajay Bhargava, Mr. Shlok
Chandra, Mr. Vidushpath Singhanian,
Mr. Milind Jain, Ms. Phalguni Nigam,
Ms. Aashita Khanna, Mr. Neil
Goswami, Mr. Kushagra Jain and Mr.
Sankalp Sharma, Advocates for R-2.

+ **W.P.(C) 12936/2024 & CM APPLs. 54009-54010/2024**

EMAMI EAST BENGAL FC PRIVATE LIMITED

.....Petitioner

Through: Mr. Aditya Sondhi, Senior Advocate
with Mr. Shivam Singh, Mr. Ishwar
Singh, Mr. Abhinav Singh, Mr.
Shubham Janghu, Mr. Yoshit Jain and



Mr. Anubhav Kumar, Advocates.

versus

ALL INDIA FOOTBALL FEDERATION & ORS.Respondents

Through: Mr. Prateek K. Chadha and Mr. Sreekumar Aechuri, Advocates for R-1.

Mr. Rajiv Nayar, Mr. Dayan Krishnan and Mr. Jayant Mehta, Senior Advocates with Ms. Vanita Bhargava, Mr. Ajay Bhargava, Mr. Shlok Chandra, Mr. Vidushpath Singhania, Mr. Milind Jain, Ms. Phalguni Nigam, Ms. Aashita Khanna, Mr. Neil Goswami, Mr. Kushagra Jain and Mr. Sankalp Sharma, Advocates for R-3.

+ **W.P.(C) 12937/2024 & CM APPLs. 54011-54012/2024**

ZEBBOIT FACILITY DEVELOPERS PRIVATE LIMITED AND ANR.Petitioners

Through: Mr. Rahul Mehra, Senior Advocate with Mr. Amitabh Tewari, Mr. Abhimanyu Tewari, Mr. Chaitanya Gosain and Mr. Satvik Bansal, Advocates.

versus

ALL INDIA FOOTBALL FEDERATION AND ORS.

....Respondents

Through: Mr. Prateek K. Chadha and Mr. Sreekumar Aechuri, Advocates for R-1.

Mr. Aditya Sondhi, Senior Advocate with Mr. Shivam Singh, Mr. Abhinav Singh, Mr. Ishwar Singh, Mr. Shubham Janghu and Mr. Yoshit Jain, Advocates for R-6.



Mr. Rajiv Nayar, Mr. Dayan Krishnan and Mr. Jayant Mehta, Senior Advocates with Ms. Vanita Bhargava, Mr. Ajay Bhargava, Mr. Shlok Chandra, Mr. Vidushpath Singhania, Mr. Milind Jain, Ms. Phalguni Nigam, Ms. Aashita Khanna, Mr. Neil Goswami, Mr. Kushagra Jain and Mr. Sankalp Sharma, Advocates for R-5.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
13.09.2024

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1. The controversy in the present case centres around the tripartite Player Loan Agreement dated 12th January, 2023, executed between Anwar Ali, Delhi Football Club¹ and Mohun Bagan Supers Giants.² Under this agreement, Delhi FC, the Parent Club, had loaned out Anwar Ali to MBSG for a period of 4 years. However, on 8th July, 2024, Mr. Anwar Ali terminated the said loan agreement and returned to Delhi FC. Following this, he was transferred to Emami East Bengal FC,³ under an agreement dated 10th July, 2024. Given that the grievances of the Petitioners stem from the same impugned order, the Court is disposing of the present petitions by way of a common order.

2. Anwar Ali subsequently petitioned the All India Football Federation⁴

¹ Delhi FC

² MBSG

³ Emami FC

⁴ AIFF



Players' Status Committee⁵, seeking relief in the form of reintegration with Delhi FC and compensation as per his original contract. Additionally, he requested the Committee to recognize the termination of the Player Loan Agreement dated 12th January, 2023. However, through the impugned order, the Committee found the interested parties guilty of inducement and concluded that MBSG was entitled to compensation amounting to INR 12,90,00,000/-. This amount was directed to be paid jointly and severally by Anwar Ali, EBFC and Delhi FC. Furthermore, the AIFF PSC, through the impugned order, imposed several sanctions: Anwar Ali was restricted from participating in any matches for a period of four months. Simultaneously, EBFC and Delhi FC were banned from registering new players for two registration periods.

3. Aggrieved by the decision, Mr. Anwar Ali, Delhi FC, and Emami East Bengal FC, through the above-captioned petitions, have challenged the order dated 10th September, 2024. The Petitioners *inter-alia* argue that the impugned order fails to provide detailed reasons or a comprehensive rationale for the imposition of the sanctions, which they contend is a clear violation of the principles of natural justice. They assert that a reasoned order is essential to ensure fairness, transparency, and an opportunity for the parties to understand the grounds on which the decision was based, allowing them to effectively contest or respond to the findings and sanctions imposed.

4. Upon examining Paragraph No. 13 of the impugned order, it is evident that Article 14.5 of the Rules Governing the Procedure of the AIFF Players' Status Committee 2021 allows the PSC to communicate only the findings of a decision without providing the detailed grounds to the parties

⁵ PSC



involved. This provision specifically states as under:

“14.5 The AIFF Player Status Committee may decide not to communicate the grounds of a decision and instead communicate only the findings of the decision (without grounds). Following the notification of the findings of the decision, the parties shall be entitled to request the grounds of the decision within ten calendar days as from the notification of the findings of the decision. Failure to do so will result in the decision becoming final and binding and the parties being deemed to have waived their rights to file an appeal.”

5. It is observed that in the present case, the Petitioners duly requested the grounds for the decision from the AIFF PSC through emails dated 10th and 11th September, 2024. Despite these requests, the grounds have not been provided to the Petitioners. This non-compliance by the AIFF PSC has a direct bearing on the Petitioners’ ability to exercise their right to appeal. Under Article 34.1 of the AIFF Regulations on the Status and Transfer of Players, 2023, the Petitioners are entitled to file an appeal before the AIFF Appeals Committee. However, Article 117.2 of the AIFF Disciplinary Code stipulates that an appeal is permissible only if the appellant has specifically requested for the grounds of the decision from the AIFF PSC. In this context, the failure of the AIFF PSC to provide the grounds, despite the Petitioners’ timely requests, has effectively undermined their right to appeal against the impugned order. The absence of grounds restricts the Petitioners from preparing a comprehensive appeal and prevents them from challenging the decision appropriately, thereby violating principles of natural justice and due process. The AIFF’s inaction, in this regard, has caused prejudice to the Petitioners, as it denies them an effective remedy to contest the sanctions imposed upon them.

6. Mr. Prateek K. Chadha, Counsel for AIFF, further submits that the AIFF PSC, consisting of four members, including two advocates, has duly



acknowledged the Petitioners' request for the issuance of grounds. He informs the Court that the PSC is currently in the process of formulating and framing detailed reasons to substantiate the Impugned Order.

7. In the opinion of the Court, the practice adopted by the AIFF PSC of issuing a decision without providing detailed reasons is fundamentally violative of the principles of natural justice. The right to a fair hearing encompasses not only the opportunity to be heard but also the right to know the reasons for any adverse decision. The failure to communicate the grounds along with the decision deprives the affected parties of the ability to understand the basis of the decision and effectively challenge it. Given this situation, the Court suggested to Mr. Prateek K. Chadha, Counsel for AIFF, that the PSC should provide the Petitioners with a fresh opportunity to be heard. In response to the Court's suggestion, Mr. Chadha, on instructions, asserts that the AIFF Status Clearance Committee will withdraw the impugned order, and pass a fresh detailed order, after hearing the parties afresh on 14th September, 2024.

8. At this juncture, Mr. Dayan Krishnan as well as Mr. Jayant Mehta, Senior Counsel on behalf of MBSG, apprise the Court of interim orders dated 3rd August, 2024 and 10th August, 2024, issued by the AIFF PSC, prior to the impugned order. The Court is of the opinion that as per the doctrine of merger, the interim orders stood merged with the impugned order. Accordingly, since the impugned order is being withdrawn and the matter has to be decided afresh, the interim orders cannot survive.

9. In light of the above, the present petitions are disposed of with the following directions:

(a) Order dated 10th September, 2024 stands withdrawn in light of the



statement by Mr. Chadha. In order to rule out any ambiguity, it is declared that the said order is no longer enforceable.

(b) Respondent No. 1 shall, as assured, conduct a fresh hearing, providing an opportunity of hearing to all the parties on 14th September, 2024, and accordingly, render a decision thereon along with detailed reasons, in accordance with law.

(c) In case the proceedings before the AIFF PSC are not concluded on 14th September, 2024, the PSC shall be free to consider the request of the parties with respect to an interim arrangement/ orders, during the pendency of the proceedings.

10. The Court has not examined the merits of the case. All rights and contentions of the parties are left open.

11. With the above directions, the petitions are disposed of, along with pending applications.

SANJEEV NARULA, J

SEPTEMBER 13, 2024

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