

CENTRE FOR ALTERNATIVE DISPUTE RESOLUTION

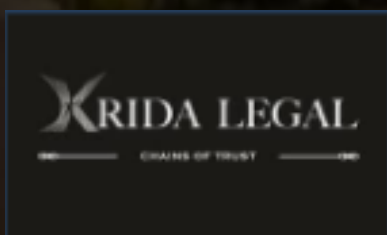
RAJIV GANDHI NATIONAL UNIVERSITY OF LAW
PUNJAB

3RD RGNUL SPORTS & ENTERTAINMENT
LAW MEDIATION COMPETITION

PROBLEM
PRELIMINARY ROUND 1



MARKANDA ADVOCATES
34 years of legal excellence in
ARBITRATION & CONTRACTS



PEPPERDINE | LAW
STRAUS INSTITUTE
FOR DISPUTE RESOLUTION

BACKGROUND INFORMATION:

KC Pataudi is an Indian professional kabaddi club based in Hyderabad that competes in the Indian Pro Kabaddi League, a professional kabaddi league that is conducted under the aegis of the All-India Kabaddi Federation (“**AIKF**”). The club was launched on 26 August 2015 and represents Hyderabad, which is the only state to declare kabaddi as its official sport. KC Pataudi have never won the Indian Pro Kabaddi League but have made the finals of the tournament three times. KC Pataudi have a reputation of being one of the most attack-oriented teams in the League which has also proved to be the ultimate downfall of the team in their three finals appearances.

John Hooda is a former kabaddi player turned coach who made a number of appearances for the national team in Asian Games as well as the Olympics. He played primarily as a defender and was considered as a role player with dangerous physical ability. Shortly following his retirement in 2013, he decided to take up his coaching badges and 5 years later, took charge of the Travancore Rovers KC for his first stint as a coach. He developed a reputation as a man with a strong defensive mindset in his kabaddi philosophy and the ability to improve the conditioning of the teams he coached.

DISPUTE FACTS

Following their loss in the finals of the 2018-19 edition of the Indian Pro Kabaddi League, the coach of KC Pataudi – Mr. Rohit Agnihotri – decided to move on back to his homeland of Gangtok leaving the management of KC Pataudi on the lookout for a new coach. After many weeks of scouting and internal discussions, the representatives of Mr. Hooda were contacted in order to discuss a potential new opportunity and challenge for him to tackle in the Indian Pro Kabaddi League.

Mr. Hooda had only ever managed a State team once before which was a three-year stint at New Radiant Sports Club until 2015. The experience left Mr. Hooda with a hunger to spend more time with State teams and he was therefore delighted to receive word that a State team was looking at him as an option. He agreed to meet with KC Pataudi's management team to discuss the possibility of a stint as coach of the team.

Over the course of three weeks and multiple meetings, various essential terms were discussed including the broader plan for the team going forward. The Board of KC Pataudi were desperate to create a specific organic culture within the team that could withstand changing personnel and be self-sustaining for consistent positive results in the League. Looking at the models created around the world by successful clubs, the Board of KC Pataudi were further adamant that the coach undertake a larger role in the administration of the youth academy of the club along with the scouting network expansion and so on.

All of these details were discussed at length with Mr. Hooda and his representatives. Mr. Hooda was quick to ensure that a few of his own personal conditions were fulfilled as well as he wanted the first tranche of his payment to be released within 30 days of signing the contract along with his family to move to the resident quarters at the KC Pataudi facility in Hyderabad with him for the period of his tenure as coach and he wanted the club to make that transition as smooth as possible.

2 months before the start of the 2019-20 season, Mr. Hooda was announced as the new coach of KC Pataudi with announcements across all the social media handles of the club. The fans of the club and the league were excited for what the club described as "*the dawning of a new era at KC Pataudi.*" The club began the season with aplomb winning 5 of their first 7 league games. The impact of the coach was evident with the dramatic defensive shift that the team was putting in while noticing up 5 wins in these 7 games.

Behind the scenes however, there were certain tensions that had begun to rise as neither Mr. Hooda was paid within the thirty days of the signing of the contract nor did his family receive a permanent residence at the facility in Hyderabad and were facing troubles in residing in Hyderabad without him. Immediately following the 7th game of the season, Mr. Hooda received word that the family residential flat at the facility was occupied and that the request for his family had been denied as a result of the lack of vacancy at the facility of KC Pataudi and therefore the family would have to wait until a flat is vacant at the facility. This left the coach in an incredibly conflicted situation as he was enjoying the start to this new job of his, but it was absolutely essential to his peace of mind that his family be with him. But according to the contract, he was obligated to reside at the KC Pataudi facility with his team.

The next day, he approached the CEO of KC Pataudi to have a discussion with him regarding his payment and the residence of his family, but the CEO refused to meet with him. This went on for a week with a whole array of excuses which infuriated Mr. Hooda as it was the CEO who had assured him that all appropriate arrangements would be made for his family. Angered by the attitude of the CEO and his refusal to meet to discuss a pressing issue, Mr. Hooda vowed to catch his attention.

The following week in practice was as rigorous as it had ever been in the history of the club. The players were put through 4 sessions a day and were left tired and sore without exception. KC Pataudi lost its next three games in the league by ridiculous margins with pundits criticizing the training regimes that had sucked the life out of the players. In the course of three games, 6 separate players had been ruled out of the rest of the season with muscular injuries.

The management of the club made a swift decision and a few hours following the third loss, Mr. Hooda was sent a notice for breach of contract with the club demanding his resignation and damages for the injuries caused to the players as well as the club's reputation. Before, the matter could escalate further, Mr. Hooda's agent suggested that the parties attempt to mediate the issue.