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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 9353/2025 & CM APPL. 39569/2025 & CM APPL.  
39570/2025

MAKHAN SINGH & ORS.

.....Petitioners

Through: Mr. Hemant Raj Phalpher, Advocate  
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versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Siddhartha Shankar Ray, CGSC  
with Mr. Tarveen Singh Nanda, GP  
and Ms. Smritika Kesri, Advocate for  
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Mr. Rohan Poddar, Advocate for R-2  
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Mr. Sumit Chouhan, Advocates for R-  
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**CORAM:**  
**HON'BLE MS. JUSTICE MINI PUSHKARNA**

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**ORDER**  
**08.07.2025**

W.P.(C) 9353/2025

Page 1 of 7



**CM APPL. 39570/2025 (For Exemption)**

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

**W.P.(C) 9353/2025 & CM APPL. 39569/2025**

3. The present writ petition has been filed seeking the quashing and setting aside of the recognition given to the elections dated 31<sup>st</sup> May, 2025 of respondent no. 4, Hockey J&K by respondent no. 2, Hockey India, being in violation of the National Sports Development Code of India, 2011 (“National Sports Code”) of respondent no. 1, the judgments of this Court and also, in violation of the voting structure of the Sports Associations, as settled *vide* judgement dated 16<sup>th</sup> August, 2022 in *W.P.(C) No. 195/2010*.
4. It is submitted that petitioners are professional hockey players and are members of the Athletes Commission of respondent no. 4, i.e., Hockey J&K.
5. Learned counsel appearing for the petitioner submits that the present writ petition has been filed to highlight the various non-compliances, mismanagement and the manner in which respondent no. 4 has given a complete bypass to the National Sports Code and the various directions passed by this Court against the respondent no. 2 and other National Sports Federations (“NSF”).
6. It is submitted that the petitioners are aggrieved by the action of respondent no. 2 by which it has recognized the illegal election conducted by respondent no. 4 on 31<sup>st</sup> May, 2025, even though the respondent no. 4 had a duly elected body which was valid for a 4-year term, that was set to expire on 19<sup>th</sup> September, 2025.
7. It is submitted that the last elections of respondent no. 4 was held on 19<sup>th</sup> September, 2021, under the supervision and observation of respondent



nos. 2 and 3, for a term of 4 years. It is submitted that the election was recognised by respondent no. 4, and the same were also recognised by respondent nos. 2, 3 and 4 for the said 4-year term.

8. Learned counsel appearing for the petitioner submits that the issue *qua* the National Sports Code and the National Sports Federations and their state affiliate members' governance, was the subject matter of this Court in "*Rahul Mehra Versus Union of India and Others*", 2022 SCC OnLine Del 2435 in W.P.(C) No. 195/2010. It is submitted that the said petition was allowed *vide* judgment dated 16<sup>th</sup> August, 2022, which is binding on all, including, respondent no. 2. Thus, it is submitted that it is incumbent upon respondent no. 1 to enforce the same upon respondent no. 2 and its affiliates.

9. Learned counsel further submits that the Constitution of respondent no. 4 was last amended on 27<sup>th</sup> July, 2009, which was not in line with the law of the land, particularly, with respect to the voting members and the composition of the General Body of the respondent no. 1, as it had Hockey Clubs as voters, and the same was impermissible in terms of the National Sports Code and the judgment in "*Rahul Mehra Versus Union of India and Ors.*".

10. Attention of this Court has been drawn to the National Sports Code, and in particular to Clauses 3.9 and 3.10, which are reproduced as under:

"xxx xxx xxx

*3.9 The membership of the Federation should be confined to the corresponding State/UT and other special units affiliated (like Sports Control Boards etc.) and where Federation grant membership to individual clubs or individual persons, such membership does not confer on such members the right to vote in any of the Federation's meetings.*

*3.10 At the National level, there will be only one recognised federation for each discipline of sport. Only the duly recognised*



*National Sports Federation would be entitled to financial grants as admissible. Only one State/UT Association from each State/UT shall be admitted as a member of the Federation, provided it has a minimum of 50% of the District level Associations affiliated to it. Any organisation of an all India standing and connected with the Sport may be given the status as that of a State or that of a U.T. and admitted as affiliated Member. Other categories of membership may also be given, but while each affiliated State/UT Unit shall have a right to cast vote in the General Body Meetings, no other class of Member(s) shall have any right to vote, in the Federation's meetings. While granting recognition/affiliation to a State /UT Association, the National Federation should take into consideration the representative character of the State/UT Association so as to ensure that only truly representative body of the game gets the recognition/affiliation.*

xxx xxx xxx”

11. It is submitted that the respondent no. 1 had also issued an Office Memorandum dated 06<sup>th</sup> February, 2015, wherein, it was specifically clarified no voting rights can be given to clubs in sports association in terms of the National Sports Code.

12. It is submitted that in order to become compliant with the *Rahul Mehra judgment (Supra)*, the majority members of respondent no. 4 had given an approval on 19<sup>th</sup> May, 2025, to the Secretary General of respondent no. 4 to call for an Emergent General Council meeting to amend the Constitution of the respondent no. 4 in order to align it with the National Sports Code.

13. Accordingly, a notice dated 28<sup>th</sup> May, 2025 was issued by the respondent no. 4 and the Emergent General Council meeting was called on 08<sup>th</sup> June, 2025, wherein, all the decisions were duly passed by the General Council of respondent no. 4, including, the amendment of the Constitution of respondent no. 4 and appointment of its working President.

14. Learned counsel for the petitioners further submits that in the meeting dated 08<sup>th</sup> June, 2025, the Constitution of the Hockey J&K was amended,



with voting rights given to District Associations only. It is submitted that in terms of the amended Constitution of Hockey J&K, the voting members are only District Associations in terms of the National Sports Code, as clubs and individual members are not permitted to have any voting rights in any sports association.

15. It is submitted that despite the aforesaid, respondent no. 2 appears to have facilitated election of respondent no. 4 held on 31<sup>st</sup> May, 2025, without any notice to majority of its members, and that too, with the voting members being clubs, which is illegal and impermissible as per the National Sports Code, and the *Rahul Mehra Judgment (Supra)*.

16. It is submitted that the aforesaid election was completed in a clandestine manner and given recognition by respondent no. 2. Thus, it is submitted that the decision of respondent no. 2, recognizing an illegal election allegedly held on 31<sup>st</sup> May, 2025 of respondent no. 4, ought to be quashed and set aside.

17. Learned counsel further submits that despite directions of two Division Benches of this Court, Hockey India continues to flout the judgments and encourages the State Associations to not follow the law of the land, as settled by this Court. It is submitted that it has been held by this Court that the National Sports Code, as interpreted by this Court, is applicable not just to the National Sports Federations, but also to its constituents at State and District Level Associations.

18. It is submitted that respondent no. 2 is the National Sports Federation for the Sport of Hockey in India, and therefore, it is under obligation to follow the provisions of the National Sports Code, as interpreted by this Court.



19. Learned counsel for the petitioners submits that the term of the elected office bearers of respondent no. 4 would come to end only on 18<sup>th</sup> September, 2025, after completing the term of 4 years. Thus, it is further submitted that members of the respondent no. 4, Hockey J&K, ought to have conducted their elections only in terms of the National Sports Code, law laid down in the *Rahul Mehra Judgment (Supra)* and in terms of their own bye laws, which would include only District Associations as its voting members, and not clubs.

20. Issue notice. Notice is accepted by learned counsels appearing for respondents.

21. Learned Senior Counsel appearing for respondent no. 2, i.e., Hockey India, submits that there is no bar in the National Sports Code for the State Units and the District Federations to give voting rights to clubs. She draws the attention of this Court to Clauses 3.4, 3.6 & 3.8 to submit that provisions which are applicable to National Federations, are not wholly applicable to State and District Federations.

22. *Per contra*, learned counsel appearing for respondent no. 3, i.e., J&K Olympic Association, submits that respondent no. 3 recognizes the earlier elected body and not the newly elected body pursuant to elections of 31<sup>st</sup> May, 2025.

23. Accordingly, let reply be filed by the respondents within a period of four weeks, from today.

24. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.

25. Considering the submissions made before this Court, it is directed that any representatives of respondent no. 4, elected on 31<sup>st</sup> May, 2025, shall not



take part in any of the General Body meetings/ Committee meetings/ Commission meetings/ Executive Board meetings, including, any meeting of respondent nos. 2 and 4, till the next date of hearing.

26. Re-notify on 23<sup>rd</sup> September, 2025.

**MINI PUSHKARNA, J**

**JULY 8, 2025/Sn/ak**