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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2086/2026**

MS CHECK RAISE GAMING PVT LTD THROUGH ITS
DIRECTOR

.....Petitioner

Through: Mr. Manish K. Jha, Sr. Advocate with
Mr. Kartikeya Rastogi and
Mr. Ranjeet Saw Advocates.

Versus

COMMISSIONER OF POLICE, DELHI

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **16.02.2026**

CM APPL. 10224/2026 (for exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 2086/2026

1. Though, learned senior counsel appearing on behalf of the petitioner while placing reliance on the order dated 04.02.2022 passed by this Court in W.P.(C) 2161/2022 and the order passed by the Division Bench of the High Court of Judicature at Allahabad in Writ-C No. 36298/2025 dated 17.10.2025 tries to impress upon the Court that the instant petition can be disposed of directing the respondent to decide the petitioner's representation dated 11.02.2025, however, the Court is not persuaded with the said request.
2. It be noted that the petitioner essentially seeks for adjudication of his rights to conduct the business of the game of Poker being permissible under



the Delhi Public Gambling Act, 1955 (*hereinafter as the Act of 1955*). Such adjudication before the cause actually arises is impermissible in law. As and when the cause will arise, the rights and contentions of the petitioner can be re-agitated, as to whether the game is of skill or otherwise, will have to be considered at an appropriate stage.

3. A writ can only be issued when there is corresponding obligation on the respondent to decide the representation. Neither under the Act of 1955 nor in any other law, said obligation is entrusted upon the respondent to adjudicate such a representation by way of any order.

4. The Supreme Court in the case of the ***Government of India v. P. Venkatesh***,¹ has held that the Court while directing the decision on the representation(s) should not be unmindful of its wider ramifications.

5. Pertinent to note herein that the Writ Court, in the exercise of its inherent power to issue a writ of Mandamus, ordinarily seeks to enforce existing rules and regulations. A statutory duty must exist before it can be enforced through mandamus and unless a statutory duty or right can be read in the provision, mandamus cannot be issued to enforce the same.² If there is no regulation governing the preliminary issue, it is for the legislature to consider and address the matter.

6. With the aforesaid observations, the instant petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 16, 2026

Nc/ mj

¹ 2019 INSC 302

² Reference to the decision of the Supreme Court in Hari Krishna Mandir Trust v. State of Maharashtra, (2020) 9 SCC 356