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

+ W.P.(C) 10138/2023

PADMAJA GARIKIPATI

.....Petitioner

Through: Mr. Rahul Mehra, Sr. Advocate
with Mr. R.A. Iyer and Mr.
Chaitanya Gosain, Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Hrishikesh Baruah, Mr. Parth
Goswami, Mr. Akshay Kumar and
Mr. Anurag Mishra, Advocates for
R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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22.10.2024

CM APPL. 62316/2024 (for interim directions)

1. The petitioner has filed this application for the following relief:

“a. Direct that pending hearing and final disposal of the Petition, the affairs of the GFI be run by an Administrator to be appointed by this Hon'ble Court, who ought to be a retired judge of this Hon'ble Court or the Hon'ble Supreme Court or of any other Hon'ble High Court:

b. Direct that the nomination of Dr. C. Prabhakar for the Federation Internationale de Gymnastique be forthwith withdrawn, and such withdrawal be communicated to the Federation Internationale de Gymnastique forthwith; and

c. Pass such other order/s as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

2. At this stage, Mr. Rahul Mehra, learned Senior Counsel for the petitioner, presses Prayer B of the application. He submits that the



respondent No.2 – Gymnastics Federation of India [“GFI”] continues to operate under an Executive Committee, which is ineligible in terms of the National Sports Development Code of India, 2011 and the judgment of the Division Bench of this Court in *Rahul Mehra vs. Union of India & Ors* [WP(C) 195/2010]. Mr. Mehra submits that the said Executive Committee continues in view of the fact that this Court, by an order dated 27.09.2023, has stayed the election to the Executive Committee, following the end of the term of the existing Committee.

3. The petitioner’s grievance, against the nomination of Dr. C. Prabhakar as a Council – member of the *Fédération Internationale De Gymnastique* [“FIG”] is that he has been nominated for the said position by the President of GFI, who is ineligible to hold that office. Mr. Mehra submits that such appointment is also in the teeth of a Division Bench judgment of this Court in W.P.(C) 5703/2020 [*Aslam Sher Khan v. Union of India & Ors*].

4. I am informed by learned counsel for GIF that the nomination of Dr. C. Prabhakar was made in August 2024 and the election, for which he has been nominated, is to take place in two days from today, i.e. 24.10.2024.

5. Issue notice. Mr. Hrishikesh Baruah, learned counsel, accepts notice on behalf of GIF. Notice be served to Union of India/respondent No.1 by all permissible modes.

6. Dr. C. Prabhakar is also not a party to the petition in his own name. I am of the view that it is not appropriate in these circumstances to stay his nomination *ex-parte*; notice will have to be issued to him before any further orders are passed.



7. At the oral request of Mr. Mehra, Dr. C. Prabhakar is added to the array of parties as respondent No.3 in the writ petition. Amended memo of parties be filed by tomorrow. Upon filing of the amended memo of parties, the petitioner may serve Dr. C. Prabhakar, *dasti* in addition. The address of Dr. C. Prabhakar will be supplied to learned counsel for the petitioner by learned counsel on record for the GFI during the course of the day.
8. Replies to the application may be filed within four weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.
9. It is made clear that the nomination/election of Dr. C. Prabhakar to the FIG will be subject to further orders to be passed by the Court. A copy of the petition and this order be served upon Dr. C. Prabhakar by tomorrow.
10. List on 29.01.2025, the date already fixed.

PRATEEK JALAN, J

OCTOBER 22, 2024
SS/