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

+ **CONT.CAS(C) 1378/2025**

ANIL DHUPAR

.....Petitioner

Through: Mr. Himanshu Chaturvedi and Mr.
Aditya Verma, Advs.

versus

CHINTAN N PARIKH & ORS.

.....Respondents

Through: Mr. M. S. Oberoi, SC for MCD

Mob: 9811551525

Email: 505chamber@gmail.com

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+ **W.P.(C) 13458/2024, CM APPL. 56318/2024, CM APPL. 56320/2024, CM APPL. 60675/2024, CM APPL. 68512/2024, CM APPL. 12672/2025, CM APPL. 16487/2025, CM APPL. 16487/2025, CM APPL. 19932/2025, CM APPL. 33324/2025, CM APPL. 39033/2025, CM APPL. 39043/2025 & CM APPL. 53739/2025**

SOMDEV KISHORE DEVVARMAN & ANR.

.....Petitioners

Through: Mr. Rahul Mehra, Sr. Adv. with Ms.
Trisha Chandran, Mr. Chaitanya
Gosain, Mr. Tushar and Mr. Hanif C.,
Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Ashish Prasad and Mr. Atri Roy
Chowdhury, Advocates for R-2
Ms. Nidhi Raman, CGSC with Mr.
Jitendra Kumar Tripathi, GP and Mr.
Akash Mittal, Advocate for Union of
India
Mob: 9990952670
Mr. Hrishikesh Baruah, Mr. Parth



Goswami, Mr. Ayush Yadav, Mr. Ranjeet Pawar and Mr. Utkarsh Dwivedi, Advocates for R-3
Mr. Anurag Ahluwalia, Sr. Advocate with Mr. Akshit Pradhan, Mr. Yogesh Verma and Ms. Muskan Goyal, Advocates for Gujarat State Tennis Association
Mob: 8128998125
Mr. Sameer Rohtagi and Mr. Akshit Pradhan, Mr. Yogesh Verma, Advocates for Maharashtra Lawn Tennis Association.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
10.10.2025

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1. The present matters have been listed today on account of the order dated 08th October, 2025, passed by the Division Bench-I (“DB-I”) of this Court, in *LPA No. 616/2025*, titled as *Gujarat State Tennis Association Versus Somdev Kishore Devvarman & Ors.*
2. The order dated 08th October, 2025 in *LPA No. 616/2025* passed by the DB-I, reads as under:

“1. Heard the learned counsel for the parties.

2. This Letters Patent Appeal filed by the appellant, Gujarat State Tennis Association, challenges two orders passed on 15.09.2025 and 18.09.2025 by learned Single Judge.

3. It appears from perusal of the order dated 18.09.2025 that arguments in the writ petition [W.P. (C) 13458/2024] have been completed by the learned senior counsel appearing for the petitioners and the matter is now fixed for 15.10.2025 for arguments on behalf of the respondents.

4. Ordinarily, since no substantial issue has been decided by the orders dated 15.09.2025 and 18.09.2025, this appeal would not be maintainable, however it has been contended by the learned counsel



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for the appellant that since the Annual General Body Meeting of the Asian Tennis Federation is slated to be held on 11.10.2025 and further that the elections under challenge before learned Single Judge in the proceedings of the writ petition were held way back in September, 2024 and therefore the application seeking vacation of the order dated 24.09.2024 so far as it directs that the result of the elections shall not be declared, needs to be heard.

5. Having regard to the overall facts and circumstances of the case, we dispose of this Letters Patent Appeal with the request to the learned Single Judge to hear and decide the writ petition itself before 11.10.2025, if possible and further, in case the final disposal of the writ petition is not possible, the applications moved by the appellant seeking its impleadment as also the vacation of the order dated 24.09.2024 may at least be decided before 11.10.2025.

6. The appeal along with pending application, thus stands disposed of in the aforesaid terms.

7. We request the learned counsel for the respective parties appearing before learned Single Judge to cooperate in the proceedings of the writ petition.”

(Emphasis Supplied)

3. Perusal of the aforesaid order clearly shows that it is the clear findings of the DB-I that the said appeal would not be maintainable, against the orders dated 15th September, 2025 and 18th September, 2025 passed in the present petitions, on account of there being no substantial issue that had been decided by the said orders.

4. At this stage, it would be fruitful to refer to the order dated 15th September, 2025, passed by this Court, which reads as under:

“1. In the present case, the Court is adjudicating the issue as regards the elections of the All India Tennis Association (“AITA”), to assess as to whether the said elections were held as per the National Sports Development Code of India, 2011 and the judgment dated 16th August, 2022 in W.P.(C) 196/2010, titled as “Rahul Mehra Versus Union of India and Ors.”

2. Since, in the meanwhile, a new Sports Act, i.e., National Sports Governance Act, 2025, has been notified, though the specific provisions are yet to be notified, it is deemed expedient that the Union of India (“UOI”) places before this Court its stand vis-a-vis the new Sports Act.



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3. Let an affidavit be filed on behalf of UOI, within a period of two weeks.

4. The petitioner is at liberty to file an updated table of written submissions, along with pyramid sporting structure, before the next date of hearing.

5. **For further arguments on behalf of the petitioner, re-notify on 18th September, 2025.**

(Emphasis Supplied)

5. Further, the order dated 18th September, 2025 passed by this Court, reads as under:

“1. Arguments have been completed by learned Senior Counsel appearing for the petitioners.

2. For arguments, on behalf of the respondents, re-notify on 15th October, 2025.”

(Emphasis Supplied)

6. Upon perusal of the aforesaid two orders, it is apparent that the said orders merely recorded that the arguments were being advanced on behalf of the petitioners and the Court was hearing the final arguments. Further, the order dated 18th September, 2025 categorically recorded that arguments have been completed by learned Senior Counsel appearing for the petitioners and that the matter was re-notified for arguments on behalf of the respondents.

7. Further, perusal of the order passed by the DB-I further shows that the appeal filed by the Gujarat State Tennis Association (“GSTA”) raised the issue with regard to the Annual General Body Meeting (“AGBM”) of the Asian Tennis Federation (“ATF”), which is slated to be held tomorrow, i.e., 11th October, 2025.

8. In view of the urgency expressed as regards the meeting of the AGBM of the ATF, which is to be held on 11th October, 2025, the aforesaid order dated 08th October, 2025, came to be passed by the DB-I, wherein the learned DB-I, directed that either this Court ought to pronounce the



judgment in the present writ petition by tomorrow, i.e., 11th October, 2025, or decide the two applications, i.e., *CM APPL. 33324/2025* and *CM APPL. 53739/2025*, filed on behalf of the GSTA.

9. During the course of arguments, various documents have been produced before this Court regarding the AGBM of the ATF, which is slated to be held tomorrow, i.e., 11th October, 2025.

10. This Court notes that as regards the AGBM of the ATF, which is to be held tomorrow, i.e., 11th October, 2025, notice of the AGBM was issued by the ATF on 10th August, 2025, which is reproduced as under:





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ATF

PRESIDENT

YURIY POLSKIY

is looking forward to celebrate the tennis extravaganza with the complete Asian Family and also create memorable experience of your visits to the beautiful countryside.

KTF has also offered to arrange for extension of special hotel rates for additional stay for any of the delegates for the duration of the tennis event and will be happy to offer free VIP tickets for these dates as well. Kindly be in touch with the ATF Office, if you would like to extend your stay and we will accordingly assist in making relevant arrangements.

For the ATF AGM, the number of votes to which any National Federation (NF) is entitled, shall be cast by one of its delegates, who shall be named prior to the General Meeting as per the delegate nomination deadline.

You may send your attending delegate nominations to the ATF Office in India by 1800 Hrs. Friday 12th September 2025. Member nations whose subscriptions are in arrears will not be entitled to attend or vote at the General Meeting.

A delegate must be either a national of the country represented; a person permanently resident in that country; or an official of at least two years' standing, in the Member Association.

Nomination of an attending Delegate who is not a national of the country he represents, but who meets the above qualifications, shall have to be received by the ATF Office 28 days before the General Meeting (12th September 2025), together (as appropriate) with a certificate from the NF that voting instructions have been given to him.

Items for inclusion as part of the AGM Agenda should reach the ATF Office by no later than Wednesday, 27th August 2025.

The Agenda papers will be sent out to member associations by Sunday, 21st September 2025.

A detailed information sheet with timelines is attached with this communication for your information. Further details of the meeting timings will be sent to you by ATF Office.

Best regards,

Yuriy Polskiy
President

Head Office:

23, 3rd Floor, Sector 12 B, Dwarka, New Delhi - 110 075. E-mail: presidential@asiantennis.com,

Hong Kong Office:

19/Floor Bank of Maritime Asia Centre, 77 Gloucester Road, Hong Kong

11. From perusal of the aforesaid notice by the ATF, it is clear that as regards the AGBM of the ATF, which is to be held tomorrow, the notice in regard thereto, was issued by the ATF, way back on 10th August, 2025.

12. Further, as per the said notice, the nomination for the persons who shall be attending the AGBM of the ATF, had to be sent to the ATF office in India, by Friday, 12th September, 2025.



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13. Evidently, the GSTA did not approach this Court in a prompt manner, despite the issuance of the notice dated 10th August, 2025 and before sending the nominations, which were to be sent latest by 12th September, 2025.

14. This Court further notes that after the issuance of the notice dated 10th August, 2025, this Court had heard the present petitions on several dates, i.e., 08th August, 2025, 28th August, 2025, 15th September, 2025 and 18th September, 2025. Thus, four hearings have taken place before this Court, after the issuance of the notice dated 10th August, 2025, by the ATF, regarding the AGBM, which is to be held tomorrow, i.e., 11th October, 2025.

15. On a pointed query by this Court as to the reason why the GSTA did not approach this Court earlier, it has been informed that Mr. Chintan Parikh, who is the President of the GSTA, was not aware of the said notice issued by the ATF.

16. This Court takes note that Mr. Chintan Parikh, President of the GSTF, is also the Vice-President of the All India Tennis Association (“AITA”), and despite this fact, he is stated to be not aware of the said notice issued by the ATF.

17. Mr. Anurag Ahluwalia, learned Senior Advocate appearing for the GSTF, justifies the aforesaid obliviousness on the ground that since no Executive Committee meeting of AITA has been held since 27th June, 2025, Mr. Chintan Parikh was not aware of the said notice.

18. Further, this Court notes the submissions made by learned counsels appearing for the other parties, including, learned Senior Counsel for the petitioners, that all the information with regard to the AGBM of the ATF, which is to be held on 11th October, 2025, is available on the official website



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of the ATF, as well as AITA.

19. Accordingly, the justification as given on behalf of the GSTA, is not acceptable. *Apropos* the aforesaid, even if the said aspect is not considered, Mr. Chintan Parikh, being the President of the GSTA, and Vice President of the AITA, was expected to have knowledge about the fact that the AGBM of the ATF is tomorrow, i.e., 11th October, 2025.

20. Accordingly, the GSTA, as well as Mr. Chintan Parikh, the Vice President of AITA, ought to have approached this Court at earlier point of time.

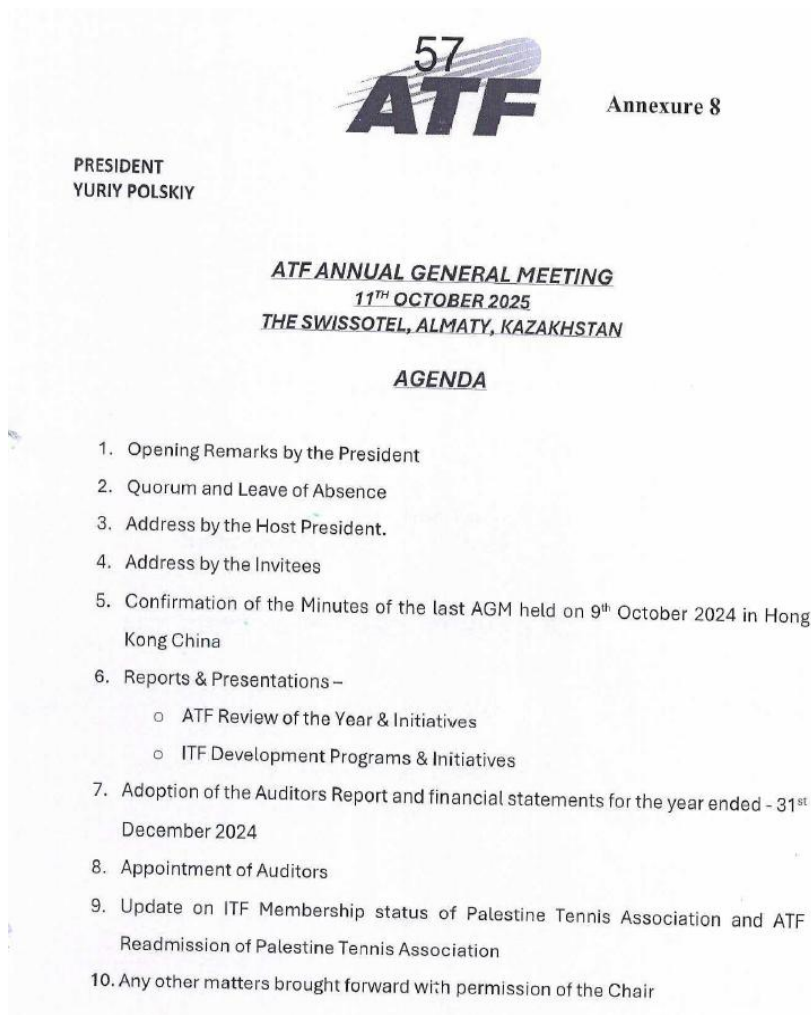
21. This Court notes that when the matter was taken up by this Court on 08th August, 2025, 28th August, 2025, 15th September, 2025 and 18th September, 2025, the said issue about the AGBM of ATF was not raised before this Court, either by GSTA, or by Mr. Chintan Parikh. Further, this Court notes that in the application being *CM APPL. 53739/2025* also, which was filed on behalf of the GSTA on 26th August, 2025, and listed before this Court on 28th August, 2025, the said issue was neither raised in the said application, nor before this Court.

22. The said issue was mentioned before DB-I for the first time and not before this Court on any earlier occasions. This Court is further informed that this issue was not even raised in the pleadings of the appeal filed before the DB-I.

23. This Court further notes that in terms of the notice dated 10th August, 2025, issued by the ATF, the nomination has already been sent and the name of Mr. Anil Jain, who is currently continuing in the AITA as the President, on account of the orders passed by this Court, has been sent to the ATF for representing India in the AGBM.



24. This Court also takes note of the Agenda of the ATF's AGBM for 11th October, 2025, which reads as under:



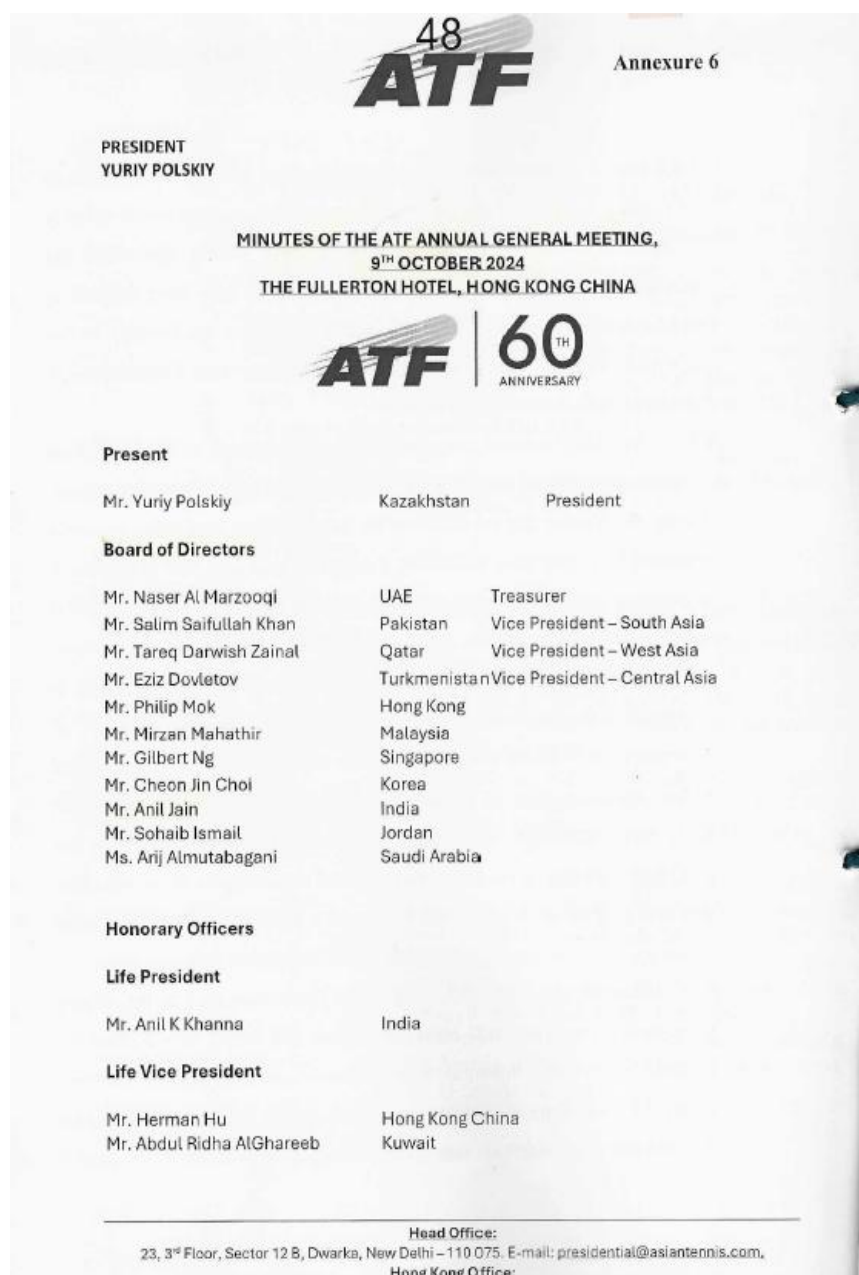
25. Perusal of the aforesaid Agenda clearly shows that there is no pressing or grave issue which is being taken up in the AGBM of the ATF tomorrow, i.e., 11th October, 2025, and no elections are to be held in the said AGM of the ATF, or anything in relation thereof. The Agenda of the ATF only contains routine matters pertaining to ATF, which does not convey any urgency, as was sought to be conveyed before the DB-I.

26. It is also noted that Mr. Anil Jain is a member of the Board of Directors of the ATF, and this Court is further informed that even if Mr.



Anil Jain may not be having any authority to represent AITA, however, being member of the Board of Directors of the ATF, he nevertheless has the authority to attend the said meeting.

27. In reference to the above, the document pertaining to the Minutes of the Meeting dated 09th October, 2024, which shows Mr. Anil Jain, as a member of the Board of Directors of the ATF, reads as under:





28. As regards the two applications, i.e., *CM APPL. 33324/2025* and *CM APPL. 53739/2025*, filed on behalf of GSTA, it is to be noted that the prayers made in the said applications are to the effect of opening the sealed cover of the results of the AITA elections, so that the newly elected Executive Committee can be allowed to take charge from the interim elected committee of the AITA.

29. This Court takes note that another application being *CM APPL. 60675/2024*, seeking similar prayer, has been filed on behalf of the AITA.

30. Learned counsel appearing for the AITA through Mr. Anil Jain, does not press the aforesaid application. However, learned counsel appearing for the AITA through Mr. Sunder Iyer, presses the said application.

31. At this stage, it is noted that during the course of hearing today, an affidavit has also been handed over on behalf of Union of India (“UOI”), wherein, the UOI has also expressed in its prayer that this Court may permit declaration of the results of the AITA elections held on 28th September, 2024.

32. The said affidavit filed on behalf of UOI is taken on record.

33. This Court takes note of the order dated 02nd July, 2025, passed by the Division Bench of this Court in *CONT. CASE 886/2024 & W.P.(C) 2702/2024*, in the case titled as *Delhi Rowing Association Versus Rowing Federation of India and Anr.*, which reads as under:

“xxx xxx xxx

3. We have heard learned counsel for the petitioner and Mr. Jain, learned senior counsel for respondent no.2/Rowing Federation of India (RFI).

4. Before we express any opinion, it is apposite to extract the order dated 22.02.2024 passed by the learned Single Judge in the present petition, relevant portions whereof is extracted hereunder:-



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“2. The primary submission of learned counsel for the petitioner is that the concerned National Sports Federation (NSF) i.e. Respondent No.2, as also its constituent units, must be in compliance with the provisions of the National Sports Code of India, 2011 (the Sports Code) and with the mandatory directions contained in the judgement passed by a Division Bench of this Court in W.P(C) 195/2010 [Rahul Mehra v. Union of India, 2022 SCC OnLine Del 2438], prior to conduct of any elections.

3. During the course of hearing, it is conceded by the learned counsel appearing for the petitioner association, on instructions, that the constitution of the petitioner association itself is not in compliance with the Sports Code and the aforesaid judgment dated 16.08.2022.

4. As such, the petitioner association, on its own showing, is not eligible to participate in the election process, which is impugned in the present petition.

5. In the circumstances, after some hearing, learned counsel for the petitioner submits that the present petition be treated as a ‘Public Interest Litigation’ (‘PIL’), and seeks that the same be listed accordingly before the concerned Division Bench.

6. In the circumstances, let the present matter be listed before the concerned Division Bench on 23.02.2024, subject to the orders of Hon’ble the Chief Justice.”

Though the petitioner had challenged the forthcoming elections slated on 25.02.2024, admittedly, the petitioner itself was not eligible to participate in the election process.

5. However, in the order dated 23.02.2024, the Co-ordinate Bench had passed certain directions encapsulated from para 5 onwards, which are extracted hereunder:-

“5. Learned senior counsel for the RFI on instructions, from Mr. Raj Laxmi Deo, President, RFI and Mr. N.V Sriram, Secretary, RFI states that the Federation will adopt the road map suggested by learned senior counsel for the petitioner on its own within twelve weeks. Let an affidavit to the said effect be filed by the President of RFI within a week.

6. The statement/ assurances/ undertakings given by RFI are accepted and the RFI is held bound by the same.

7. Since, the elections are scheduled for 25th February, 2024, the same be held. However, the votes shall not be counted and the results shall not be announced till further orders of this Court.



8. As the Olympic is round the corner, this Court permits the existing management of RFI to continue till further orders.

9. It is clarified that the aforesaid arrangement is without prejudice to the rights and contentions of either of the parties and is subject to further orders to be passed by this Court.”

Mr. Jain, learned senior counsel for the RFI stated that the RFI is now fully compliant with the National Sports Code of India, 2011 (the Sports Code) and as such, there is no impediment in case the results of the elections held on 25.02.2024 is declared and duly elected body takes over the administration of the Federation in accordance with law. He also insists that such declaration would be in the interests of the sport of rowing inasmuch as some important sporting event is to take place in the near future.

6. Per contra, learned counsel for the petitioner submits that contrary to the submissions made on behalf of RFI, the Federation is neither in compliance with the Sports Code, nor in terms of the undertaking given to the Court and recorded on 23.02.2024. He submits that unless the RFI is in complete compliance of the Sports Code, the result of the elections ought not to be declared as the elections can be said to be legal only once the RFI and its constituent State Associations including the petitioner association is in full compliance with the Sports Code. According to him, any other interpretation would give leeway to the State Associations to act illegally at first instance and thereafter, attempt to rectify or ratify at subsequent stage. He states that this discretion would be liable to be misinterpreted and misused by the State Associations.

7. Learned counsel for the petitioner further submits that the petitioner has already filed the Contempt Petition with regard to the aforesaid submissions, though notice is yet to be issued.

8. It is the interest of administration of any institution, that too in a democratic setup like ours, to ensure that a duly elected body is in place to manage and administer the affairs of the institution. No doubt the petitioner has raised relevant grievances in respect of purported non-compliance of the Sports Code by RFI and the elections in such circumstances are liable to be interfered with, yet keeping in view the fact the petitioner itself was, concededly, not eligible to participate in the elections held on 25.02.2024 coupled with the fact that more than one and a half year has already passed since the elections were held, it does not appeal to reason as to why the result of the elections should not be declared and why the elected body should not be handed the charge and administration of the RFI.

9. The grievances and interest of the petitioner association and any other stakeholder can be kept secured by passing an order whereby



the results of such election would be subject to outcome of the present writ petition. We have been given to understand that in absence of the elected body, erstwhile managing authority whose term had otherwise expired, is continuing to administer the affairs of RFI. This is not conducive either to the institution or the democratic values which are cherished.

10. In that view of the matter, we modify the directions in the order dated 23.02.2024 and direct that the result of the elections held on 25.02.2024 be declared within 10 days from date and the newly elected representatives be handed over charge of the Committee within 2 weeks thereafter.

11. Aforesaid directions are subject to outcome of the present petition.

12. In the meantime, the petitioner association is directed to file its amended constitution in compliance with the Sports Code. The RFI is also at liberty to file an updated affidavit with regard to the compliance of Sports Code.

*13. List on 17.09.2025 awaiting the decision of the Supreme Court in SLP(C) No.30748-30749/2017 captioned as **All India Football Federation vs. Rahul Mehra & Ors.***

xxx xxx xxx”

(Emphasis Supplied)

34. Perusal of the aforesaid order dated 02nd July, 2025 passed by Division Bench of this Court shows that the aforesaid order was passed as an interim arrangement during the pendency of the said writ petition. Thus, the aforesaid interim directions were passed subject to outcome of the writ petition.

35. However, the position is different in the present case, as in the present case, hearing of the final arguments had already commenced on 08th August, 2025. Accordingly, this Court is already seized of final hearing of the matter, which is continuing to be heard at short dates.

36. Considering the fact that this Court is already in the process of hearing the matter finally, and is in the midst of hearing of the final arguments, this Court is of the view that there is no occasion for this Court



to pass an interim order, at this stage.

37. Accordingly, it is not considered appropriate to pass any directions for opening the sealed cover containing the results of the elections at this stage, when the matter is at the stage of final hearing, and the Court is considering the various issues pertaining to the said elections.

38. However, it is clarified that since this Court is already hearing the matter finally, the decision as regards the opening of the sealed cover, shall be subject matter of final judgment of this Court, which shall be given after hearing all the counsels for the parties.

39. Considering the submissions made before this Court, it is clarified that though GSTA is not a party before this Court, however, the said party shall be heard at the time of final hearing of the matter.

40. Likewise, this Court has already granted liberty to the other State Tennis Associations, to also make submissions before this Court at the time of final hearing.

41. Since the urgency expressed before the DB-I in the aforesaid *LPA 616/2025*, in the appeal filed by the GSTA was with regard to AGBM of the ATF on 11th October, 2025, this Court questioned learned Senior Counsel for GSTA/Mr. Chintan Parikh, as regards willingness of Mr. Chintan Parikh to attend the said AGBM of ATF to be held on 11th October, 2025. On a pointed query by this Court, learned Senior Counsel appearing for GSTA submits that Mr. Chintan Parikh has never expressed any desire before this Court for attending the AGBM of the ATF, which is slated to held tomorrow, i.e., 11th October, 2025.

42. Learned Senior Counsel appearing for GSTA further submits that he has no objection if Mr. Sundar Iyer, the Interim Secretary of the AITA



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attends the meeting of the AGBM of the ATF, as per the norms of the ATF.

43. This Court is further informed that the AGBM of the International Tennis Federation (“ITF”) is also to be held on 15th and 16th October, 2025. Thus, it is submitted that Mr. Sundar Iyer, the Interim Secretary of AITA, may be allowed to attend the meeting of the ITF also.

44. This Court is further informed that as far as the meeting of the ITF, which is to take place on 15th and 16th October, 2025, is a meeting that can be attended by virtual mode.

45. Thus, it is submitted that Mr. Sundar Iyer, the Interim Secretary of the AITA ought to be allowed to attend the meeting of ATF as well as the ITF, as per the norms. Learned counsel appearing for the petitioner as well as AITA do not have objection to the said submission.

46. Accordingly, considering the submissions made before this Court, that the members for attending the aforesaid meetings of ATF and ITF, have already been nominated, it is directed that, in case, the procedure of the AITA as well as ATF and ITF, so allows, Mr. Sundar Iyer, the Interim Secretary of the AITA, shall be allowed to attend the meetings of AGBM of the ATF as well as the meeting of the ITF, which are to be held on 11th October, 2025 and 15th October, 2025, 16th October, 2025, respectively.

47. Mr. Baruah, appearing for AITA through Mr. Sundar Iyer, i.e., the Interim Secretary of AITA, has argued the matter partly today.

48. For further arguments, list on the date already fixed, i.e., 15th October, 2025.

MINI PUSHKARNA, J

OCTOBER 10, 2025/sk