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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 17401/2025

DELHI AMATEUR

WUSHU ASSOCIATION (DAWA)

.....Petitioner

Through: Ms. Nandita Rao, Sr. Adv., Mr. Vipin Kumar Saini, Mr. Lakshay Saini, Mr. Mayur Vashisht, Mr. Rohit Saroj and Mr. A. Sahitya Veena, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Ruchir Mishra, Mr. Sanjiv Kr. Saxena, Mr. Mukesh Kr. Tiwari, Ms. Poonam Shukla and Ms. Reba Jena Mishra, Advs., UOI.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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26.11.2025

1. The present petition has been filed by the petitioner assailing a Disaffiliation Notice dated 24.07.2025 issued by the respondent no. 2/ Wushu Association of India against the petitioner, a recognised sports federation in respect of the sport of Wushu in India. The said notice reads as under:

Subject: Final Notice of De-affiliation

Dear Sir/Madam,

This notice is issued further to the Show Cause Notice (Ref No: 115/WAI/2025-26) dated 10.05.2025.

The President of the Wushu Association of India (WAI) has determined that the Delhi Amateur Wushu Association (DAWA) has persistently failed to function in accordance with the WAI constitution and has neglected the welfare of its athletes, a fact noted by the Hon'ble High Court of Delhi.

In light of the show-cause notice and due to these serious and ongoing failures, the President has decided to DE affiliate the Delhi Amateur Wushu Association (DAWA), effective immediately.

Consequences of this de-affiliation are as follows:

- DAWA is no longer the recognised state Wushu association for Delhi.
- All rights and privileges of DAWA's membership with WAI are revoked.
- DAWA must cease using the WAI name and logo immediately.
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WAI will take the necessary steps to manage the sport in Delhi, protecting the interests of the athletes.



2. Broadly three grounds have been urged by the learned senior counsel for the petitioner:

(i) Firstly, it is submitted that the impugned Disaffiliation Notice has been issued in contravention of the Constitution of Wushu Association of India (WAI). Attention is drawn to Article 6 of the Constitution which reads as under:

“Article 6 Disaffiliation/ De-recognition /Suspension

The General Assembly on the recommendation of President, either directly or through the Executive Board, based on his discretion, is entitled to consider disaffiliation / de-recognition /suspension of the Member Unit on one or more of the under mentioned grounds after ensuring that a Show Cause Notice has been served and an explanation has been obtained and considered from the affiliated Member Unit recommended for disaffiliation / derecognition / suspension.

I. Non-observance of directives issued by the from time to time.

II. Not holding of elections after the completion of the normal tenure for which the office bearers are elected. Any extension of the tenure of the office-bearers will be subject to obtaining prior written permission from the .

III. Not submitting annual audited statement of accounts, annual report and list of current office-bearers within the stipulated time period.

IV. Whatever the decision of the General Assembly, it must be supported by two-third majority votes of the Members present and voting.

V. If the General Assembly takes a decision to disaffiliate a Member Unit, the President will have the authority to constitute an ad-hoc body to look after the work done by the disaffiliated Member Units till such time, that the President arranges for fresh elections to be held in the concerned Member Unit which would then start functioning in the normal manner.

VI. All affiliated Members shall commit themselves to voluntarily surrender their rights of seeking redress in any court of law at the first instance. They shall appeal only to the President and if the President found it fit to hear, he shall form a committee to look into the matter or refer the case to Ethic Commission.



VII. A member State / Union Territory / Organisation or any of its members shall neither be affiliated to any other WUSHU Organisation not recognised by the , nor participate in any Wushu events organised by such an organisation.

VIII. Any appeal by a member complaining against the procedure adopted by the concerned Member for holding “Elections”, or any other issue connected with this subject must be made in writing, to the WAI within 30 days of the occurrence of the incident. No complaint will be considered valid or entertained by the if it is made after the expiry of the 30 days period. The complaint must be specific and contain documentary evidence to prove the issue that is disputed.”

It is submitted that it is evident from the above provision that only the General Assembly is empowered to disaffiliate /derecognise/suspend a federation. It is contended that the matter concerning disaffiliation of the petitioner was never placed before the General Assembly. Attention is drawn to the fact that on the website of the respondent no.2, an amended constitution came to be uploaded which depicts an amended Article 6. The said amended Article 6 reads as under:

“Article 6 Disaffiliation/ De-recognition /Suspension

The President, either directly or through the Executive Board, based on his discretion, is entitled to consider disaffiliation / de-recognition / suspension of the Member Unit on one or more of the under mentioned grounds after ensuring that a Show Cause Notice has been served and an explanation has been obtained and considered from the affiliated Member Unit recommended for disaffiliation / derecognition / suspension.

I. Non-observance of directives issued by the from time to time.

II. Not holding of elections after the completion of the normal tenure for which the office bearers are elected. Any extension of the tenure of the office-bearers will be subject to obtaining prior written permission from the WAI.

III. Not submitting annual audited statement of accounts, annual report and list of current office-bearers within the stipulated time period.



IV. Whatever the decision of the General Assembly, it must be supported by two-third majority votes of the Members present and voting.

V. The President will have the authority to constitute an ad-hoc body to look after the work done by the disaffiliated Member Units till such time, the ad-hoc body shall be entrusted with all the power and responsibility of the de-affiliated or suspended member unit. Its primary mandate shall be to ensure the continuity of wushu activities, manage the day to day affairs.

VI. All affiliated Members shall commit themselves to voluntarily surrender their rights of seeking redress in any court of law at the first instance and they considered in the categories of automatically suspended from member unit from WAI . They shall appeal only to the President and if the President found it fit to hear, the President or Executive Board shall form a committee to look into the matter or refer the case to Ethic Commission.

VII. A member State / Union Territory / Organisation or any of its members shall neither be affiliated to any other WUSHU Organisation not recognised by the , nor participate in any Wushu events organised by such an organisation. Any member unit defame the WAI on any social media platform, the President or Executive Board takes a disciplinary action against that members unit.

VIII. Any appeal by a member complaining against the procedure adopted by the concerned Member for holding “Elections”, or any other issue connected with this subject must be made in writing, to the WAI within 30 days of the occurrence of the incident. No complaint will be considered valid or entertained by the if it is made after the expiry of the 30 days period. The complaint must be specific and contain documentary evidence to prove the issue that is disputed.

IX. The appeal against the disaffiliation/suspension shall be made before the Ethic Commission within 30 days of the order and the appeal against the order of the Ethic Commission shall be made before the Review Commission.”

Learned senior counsel for the petitioner has also drawn attention to the following provision in the alleged amended Constitution:

“Article 23 Commencement of the Amended Constitution

This revised/amended Constitution shall be effective from 01.04.2025.



This amended/Revised Constitution is duly approved by the EGM & AGM held at Bilaspur during March, 2025.”

It is submitted that the petitioner was not notified about any EGM & AGM held in Bilaspur during March, 2025. As such, amendment, if any, effected in the Constitution of respondent no. 2 has not been validly made. It is submitted that there is no justification to bypass the General Assembly for the purpose of disaffiliating the petitioner.

(ii) Secondly, it is submitted that the impugned order incorrectly asserts that the “petitioner persistently failed to function in accordance with the WAI Constitution and has neglected the welfare of its athletes, a fact noted by the High Court of Delhi.” It is submitted that no proceedings/orders passed by this Court have made any observations to the effect that the Delhi Amateur Wushu Association of India has failed to function in accordance with the Constitution of Wushu Association of India. As such, it is contended that the very premise of the impugned disaffiliation notice, is non-existent.

(iii) Lastly, it is submitted that the impugned order will have a prejudicial impact on the Sports of Wushu in the State of Delhi inasmuch as it will make it onerous for athletes in Delhi to participate in national and international events. In this regard, it is pointed out that in a pending civil suit pertaining to the functioning of the petitioner, certain interim order/s are in place. It is submitted that the impugned notice, if allowed to operate, would disrupt the said interim arrangement and jeopardise the participation of sportspersons in upcoming national events.

3. Issue notice.

4. Learned counsel, as aforesaid, accepts notice on behalf of the



respondent no.1.

5. Issue notice to the respondent no.2, on necessary steps being made by the petitioner, through all permissible modes including electronically, returnable for the next date of hearing.

6. Considering the aforesaid circumstances, it is directed that till the next date of hearing, the operation of the impugned Disaffiliation Notice dated 24.07.2025 shall remain stayed till the next date of hearing. As an interim measure, it is further directed that the petitioner shall be entitled to select/send the list of athletes from Delhi, for the purpose of participation in any national/inter-state event.

7. List on 17.03.2026.

SACHIN DATTA, J

NOVEMBER 26, 2025/at