



CNR: KAHC010460102026

NC: 2026:KHC:46925
WP No. 20663 of 2026



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 20663 OF 2026 (GM-RES)

BETWEEN

MR. RAMESH BUDIHAL
S/O HAMAMANTAPPA,
AGED ABOUT 25 YEARS,
R/A 261/2083
CHARUVILA COLONY
KOTTAPPURAM, VIZHINJAM,
KOVALAM, KERALA 695 521.

... PETITIONER

(BY SRI. MANMOHAN P.N., ADVOCATE FOR
SRI. VINAY N. ADVOCATE)

AND

1. UNION OF INDIA
REPRESENTED BY THE SECRETARY,
MINISTRY OF YOUTH AFFAIRS AND SPORTS,
SHASTRI BHAVAN,
NEW DELHI-110001.
2. SPORTS AUTHORITY OF INDIA,
REPRESENTED BY ITS DIRECTOR GENERAL,
JAWAHARLAL NEHRU STADIUM COMPLEX,
NEW DELHI-110003.
3. INDIAN OLYMPIC ASSOCIATION,
REPRESENTED BY ITS PRESIDENT,
OLYMPIC BHAWAN,
B-29, QUTUB INSTITUTIONAL AREA,
NEW DELHI 110016.
4. SURFING FEDERATION OF INDIA,
A NATIONAL SPORTS FEDERATION
RECOGNISED BY THE MINISTRY OF YOUTH
AFFAIRS AND SPORTS,

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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REPRESENTED BY ITS PRESIDENT,
HAVING ITS REGISTERED OFFICE AT
MULKI, MANGALORE
DAKSHINA KANNADA 574 174
REPRESENTED BY ITS PRESIDENT.

5. SIVARAJ BABU,
S/O BABU
AGED ABOUT 23 YEARS,
R/A NO.52, GKM STREET,
MAMALLAPURAM, CHENGALPATTU
TAMIL NADU- 603104.

.... RESPONDENTS

(BY SRI. KESHAV M DATAR., ADVOCATE FOR R1;
SRI. ABHILASH R., ADVOCATE FOR R2;
SRI. SNEHIL BALANI., ADVOCATE FOR R3;
SRI. AJAY NANDALIKE., ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI AND QUASH THE DECISION OF THE 4TH RESPONDENT DATED 23.06.2026 (PRODUCED AS ANNEXURE-H) AND THE CONSEQUENTIALLY DIRECT THE RESPONDENT NO.3 TO RECALL THE FORWARDED LIST OF THE SELECTED ATHLETES TO THE ASIAN GAMES 2026 AND

THIS WRIT PETITION COMING ON FOR ORDERS AND HAVING BEEN RESERVED FOR ORDERS ON 13.08.2026, THIS DAY, THE COURT PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CAV ORDER

1. The Petitioner is before this Court seeking for the following reliefs;

- i. *Issue a Writ of Certiorari and Quash the decision of the 4th Respondent dated 23.06.2026 (Produced as Annexure-"H"); and the consequentially direct the Respondent No.3 to*



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recall the forwarded list of the selected athletes to the Asian games 2026; and

- ii. Issue a writ of Certiorari and quash the Selection public summary dated 20.06.2026 and 21.06.2026 passed by Respondent No.4 (produced as Annexure- "E" and "F"); and*
- iii. Consequently, direct the Respondent No. 4 to constitute a fresh selection committee to select the name of Athletes as per the common order dated 16.06.2026: (Produced as Annexure-D') and:*
- iv. Pass such other order as deemed fit in the facts and circumstances of the case in the interest of justice and equity.*

2. The Petitioner is a professional surfer and an accomplished Indian athlete in the discipline of surfing. He has represented India in several National and International surfing competitions and has distinguished himself through his performances. The Petitioner is also stated to be the only Indian surfer to have secured a Bronze Medal at the Asian Surfing Championship, 2025, thereby bringing international recognition to the country.
3. Respondent No.4-Surfing Federation of India (hereinafter referred to as "**SFI**") undertook the selection process for identifying surfers to represent India in the men's and women's surfing events at the 20th Asian Games to be held at Aichi-Nagoya, Japan,



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in 2026 (hereinafter referred to as the "**Asian Games**"). The SFI is the national governing body for the sport of surfing in India and, in that capacity, is entrusted with the task of assessing and selecting eligible athletes to represent the country in international competitions, including the Asian Games. The SFI functions under the National Sports Development Code of India and, pursuant to the directions of the Ministry of Youth Affairs and Sports (hereinafter referred to as "**MYAS**"), formulated a Selection Policy for the Asian Games.

4. The SFI had initially constituted a Selection Committee which proceeded to select certain athletes. The said selection was challenged by the Petitioner as well as Surf Kerala, the Surf Association of the State of Kerala. In terms of Clause 11 of the Selection Policy, an Appeals Panel was constituted to consider the challenge. By its decision dated 16.06.2026, the Appeals Panel set aside the selection and directed the SFI to constitute a Selection Committee in accordance with Clause 10 of the Selection Policy and undertake a fresh exercise of selection.



5. The Appeals Panel further directed that due weightage be given to performances in the Asian Championships and that, in the event of any deviation therefrom, detailed and cogent reasons be recorded. It was also directed that all International events conducted from 01.01.2025 onwards be taken into consideration while undertaking the fresh selection.
6. Pursuant to the decision of the Appeals Panel dated 16.06.2026, a Special Selection Committee was constituted. The Committee unanimously selected Mr.Kishore Kumar as the first confirmed athlete and Mr.Srikanth.D, as the second reserved athlete. However, the Committee could not arrive at either a unanimous or majority decision regarding the placement of the Petitioner and Respondent No.5, who is also a surfer, in the second confirmed position and the first reserved position respectively.
7. Recording that there was a tie between the Petitioner and Respondent No.5, the Committee resolved to reconvene after obtaining clarification from the relevant authorities and stakeholders regarding the applicable procedure for breaking the tie.



8. Pursuant thereto, a communication was addressed to the SFI seeking clarification, which was furnished by the General Secretary of the SFI. The Special Selection Committee thereafter reconvened on 21.06.2026 to resolve the deadlock between the Petitioner and Respondent No.5. During the deliberations, the members expressed divergent views regarding the methodology to be adopted, and no consensus could be reached on the interpretation of the applicable criteria. When the matter was put to vote, the deadlock continued, with two voting members supporting the Petitioner and two supporting Respondent No.5.
9. In these circumstances, and pursuant to the recommendation of the General Secretary, the Committee recommended that a Surf-Off be conducted between the Petitioner and Respondent No.5 to determine their respective positions.
10. One of the members, however, expressed the view that the procedure adopted by the Committee was not in accordance with the Selection Policy and that the Asian Surfing Championships, 2025, ought to have been taken into consideration in terms of the specific direction issued by the Appeals Panel. The



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said member consequently resigned from the Committee.

11. Thereafter, the Executive Council of the SFI took an "Executive Call" and finalised the selection by selecting Respondent No.5 as the second confirmed athlete and the Petitioner as the first reserved athlete. The said selection was accepted by the Sports Authority of India and forwarded to the Indian Olympic Association, which, in turn, forwarded the names to the Asian Olympic Association. The aforesaid selection and the consequential actions taken pursuant thereto are under challenge in the present proceedings.

12. Shri P N Manmohan, learned counsel for the Petitioner, submits that:

12.1. The selection of Respondent No.5 as the second confirmed athlete and the consequential placement of the Petitioner as the first reserved athlete are vitiated by serious procedural and substantive infirmities. The impugned selection is contrary to the Selection Policy framed by the SFI, the specific directions issued by the Appeals Panel in its decision dated 16.06.2026, and even the subsequent clarification furnished



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by the General Secretary of the SFI. The Petitioner is not seeking that this Court undertake an assessment of sporting merit or substitute its own opinion for that of the expert Selection Committee. The challenge is fundamentally to the legality of the decision-making process, the failure to adhere to the prescribed selection criteria, the disregard of the directions issued on remand, and the arbitrary manner in which the deadlock between the Petitioner and Respondent No.5 was ultimately sought to be resolved.

12.2. Learned counsel submits that the controversy has to be examined against the background of the earlier selection process. The SFI had initially constituted a Selection Committee and proceeded to select certain athletes. The said selection was challenged by the Petitioner and Surf Kerala. An Appeals Panel was constituted under Clause 11 of the Selection Policy to consider the challenge. Upon examination of the constitution of the Selection Committee and the methodology adopted by it, the Appeals Panel found that the constitution of the



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Committee itself was contrary to Clause 10 of the Selection Policy.

12.3. He refers to Clause 10 which is reproduced hereunder for easy reference:

10. Governance: Selection Committee & Conflicts

- *Selection Committee: HPD (non-voting chair), 2 senior coaches, 1 athlete representative, 1 external expert/judge, 1 legal/ethics observer (non-voting).*
- *Conflicts of interest must be disclosed.*
- *Minutes recorded and public summary posted within 7 days after decisions.*

12.4. The earlier Committee consisted of eight persons, all of whom participated in the voting process, whereas Clause 10 contemplated a specifically structured Selection Committee with only the prescribed voting members, while the HPD and the Legal/Ethics Observer were non-voting members. The Appeals Panel consequently held that the defect was not merely an error in the appreciation of material or reasoning, but went to the very identity of the decision-maker and set aside the earlier selection.

12.5. Learned counsel submits that the significance of the decision of the Appeals Panel is that it was



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not an unrestricted remand. The Appeals Panel directed the SFI to constitute a fresh Selection Committee strictly in accordance with Clause 10 of the Selection Policy and to undertake a fresh selection. In doing so, the Appeals Panel specifically addressed the period and material which were required to be considered. It found that restricting the relevant period to events commencing from September 2025 was inconsistent with the Selection Policy and directed that the relevant period should commence from 01.01.2025. It further directed that all International events during the relevant period be taken into consideration, thereby ensuring that the Asian Surfing Championship, 2025 also formed part of the assessment.

12.6. Learned counsel submits that the Appeals Panel further considered the MYAS Directive dated 24.09.2025 and recognised that performance in the Asian Surfing Championship, and particularly the prescribed benchmark of a top-six finish, was a significant and mandatory consideration. The Appeals Panel did not prescribe a fixed numerical weight for the Asian Championship performance and did not hold



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that such performance would automatically determine the outcome. However, the absence of a fixed numerical weight could not mean that the criterion could be ignored. On the contrary, the Appeals Panel expressly held that the Asian Championship benchmark was required to be considered as an important factor and that, where the Selection Committee departed from that benchmark, detailed and substantial reasons were required to be recorded.

12.7. According to learned counsel, this direction assumes particular significance in the case of the Petitioner, who had secured a Bronze Medal at the Asian Surfing Championship, 2025. The Petitioner therefore did not merely participate in the relevant Championship but secured a podium finish. The very championship which the Appeals Panel had specifically directed the fresh Selection Committee to consider thus contained a performance of particular relevance to the Petitioner. Learned counsel submits that the Appeals Panel had applied the policy of MYAS and directed that the relevant period as prescribed by MYAS would ensure that such



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performances would not be excluded from consideration.

12.8. Learned counsel further submits that the Appeals Panel had also identified the deficiencies in the manner in which the earlier Selection Committee had undertaken the comparative exercise. It observed that a subjective "gut feeling" could not constitute the basis for selection and that, while the experience and knowledge of the Head Coach could legitimately be utilised where objective criteria were equal, and a tie remained, the primary exercise had to be based upon objective comparison of the data relating to the competing athletes. The Appeals Panel observed that separate results of the athletes could be compared against each other and evaluated numerically so as to provide a proper basis for selection.

12.9. It is submitted that the fresh selection exercise was therefore required to remedy precisely these deficiencies. The Appeals Panel had identified the relevant period, specified the international competitions to be considered,



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emphasised the significance of the Asian Championship performance, required reasons for deviation from the prescribed benchmark and required the selection to be undertaken by a properly constituted Selection Committee. These directions constituted the framework within which the fresh decision was required to be made.

12.10. Pursuant to the decision dated 16.06.2026, a Special Selection Committee was constituted. The Committee unanimously selected Mr. Kishore Kumar as the first confirmed athlete and Mr. Srikanth D. as the second reserved athlete. However, when the question arose as to the placement of the Petitioner and Respondent No.5 in the second confirmed position and the first reserved position respectively, the Committee could not arrive at a unanimous or majority decision and recorded that a tie existed between the two athletes.

12.11. Learned counsel submits that the existence of a tie did not confer upon the Committee an unrestricted discretion to devise a new method of selection. The Selection Policy itself



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contained a tie-breaking mechanism. The clarification subsequently furnished by the General Secretary of the SFI also recognised a sequential methodology for resolving the deadlock. The Committee was therefore required to exhaust the objective criteria and the tie-break mechanism contained in the Policy before resorting to any exceptional or supplementary mechanism.

12.12. Pursuant to the request for clarification, the General Secretary of the SFI furnished his views by email dated 21.06.2026. The clarification is of considerable significance because it expressly contemplated a sequential process.

12.12.1. At Step 1, the Committee was required to determine the position on the basis of objective, cross-comparable performance data, with the Asian Surfing Championship, 2025 expressly identified as an important objective input.

12.12.2. At Step 2, if Step 1 did not produce a clear outcome, the Committee was required to apply the tie-break sequence



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contained in the Selection Policy, namely the head-to-head record in the relevant events, the highest best single-event result/points, the second-best single-event result and, as a final differentiator, the subjective assessment.

12.12.3. Only thereafter, at Step 3, was an internal Surf-Off suggested as a possible mechanism.

12.12.4. If the matter still remained unresolved, Step 4 contemplated escalation to MYAS/SAI.

12.13. Learned counsel submits that the clarification did not create an independent and unrestricted choice between these four alternatives. It prescribed a sequence. The Committee was therefore required to proceed from Step 1 to Step 2 and only thereafter, if the matter continued to remain unresolved, consider Step 3. The Committee could not lawfully bypass the Policy's own tie-breaking provisions and proceed directly to a Surf-Off merely because the members were unable to agree upon the



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methodology for evaluating the objective material.

12.14. The selection process, including the tie-break mechanism as per the policy, is contained in Clause 5, which is reproduced hereunder for easy reference:

5. Selection Pathway (Modules & Timelines)

Module 1 - Eligibility Pool (Ranking Gate)

1. *As of 30 September 2025, the Top-8 Men and Top-8 Women in SFI National Rankings (LiveHeats) form the Selection Pool.*
2. *Ties at #8 resolved by: (i) head-to-head in 2025 events, (ii) higher best single-event points, (iii) second-best single-event, (iv) coin toss in presence of SC and recorded on video.*
3. *Eligibility conditions: Indian passport, IOA/OCA eligibility, NADA compliance, signed agreements (Code of Conduct, Media/Name & Likeness, Data Processing consent, Anti-harassment & Safeguarding).*

Module 2 - Centralized 2-Day Assessment Camp (Top-8)

- *Conducted no later than 31 March 2026 at an SFI-approved venue.*
- *Mandatory attendance unless medically exempt.*
- *Components (all recorded on video/CCTV):*
 - *Performance heats (ISA/ASF/SFI scoring)*
 - *Technical drills*
 - *Physical testing*
 - *Psychological/HP screening*
 - *Compliance briefing.*



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- *Weightings published 30 days before camp. Indicative: Heats 50%, Tech 20%, Physical 15%, HP/Psych 10%, Compliance 5%.*
- *Output: Objective composite scores; top performers progress.*
- *The selection pool can be reduced under the discretion of the head coach and SFI selection committee.*

Module 3 - Reduction to Competition Squad + Bench

- *Based on Module-2 scores plus 2025 ranking points, SC reduces the squad by 30 April 2026 to the following numbers or lower as determined by the selection committee:*
 - *Top-3 Men + up to 2 bench athletes*
 - *Top-3 Women + up to 2 bench athletes*
 - *Tie-breakers mirror Module-1.*
- *Minutes and scorecards shared (data masked).*

Module 4 - Team Camp & Qualification Alignment

- *The picked team (competition squad and bench athletes) trains under National*
- *Coaches/HPD from November 2025-September 2026, including ASF qualifiers/required events.*
- *Continued selection conditional on: fitness, form, conduct, and compliance.*
- *Internal surf-offs may be conducted by 15 July 2026 if required.*

Module 5 - Final Nomination & Submission

- *Provisional names approved by SC and ratified by SFI EC by 20 July 2026.*
- *Final names submitted to IOA no later than 1 August 2026.*
- *Only 2 Men and 2 Women will be nominated to the Asian Games (as per quota). Bench athletes may be substituted in case of injury, withdrawal, or non-compliance before final submission.*



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- *Selection Pool/Picked team (competition squad and bench athletes) trains under National Coaches/HPD from November 2025-September 2026, including ASF qualifiers/required events as per the modules.*

12.15. Learned counsel for the Petitioner submits that Clause 5 of the Selection Policy is central to the present controversy. The clause prescribes a five-stage selection process, beginning with the eligibility pool and ending with the final nomination of athletes to the Asian Games. It also prescribes objective criteria for assessment and specific tie-break mechanisms. The Selection Committee was therefore required to act within the framework of Clause 5 and could not, merely because a difficulty or deadlock arose, adopt a method different from that contemplated by the Policy.

12.16. He submits that under Module 1, the Selection Pool is to be formed on the basis of the SFI National Rankings. Even at that stage, the Policy specifically provides for resolution of a tie by reference to objective criteria, namely, head-to-head performance in the 2025 events, the higher best single-event points and the second-best single-event performance, followed only



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thereafter by a coin toss in the presence of the Selection Committee, with the process being recorded on video.

12.17. Module 3 expressly provides that its tie-breakers shall mirror those prescribed in Module 1. The Policy, therefore, does not leave the resolution of a tie to an unrestricted discretion of the Selection Committee.

12.18. Learned counsel submits that the structure of Clause 5 is important. The Policy proceeds in stages. The athletes first enter the Selection Pool; they thereafter undergo the Centralised Assessment Camp; the Selection Committee then reduces the pool to the competition squad and bench; the selected athletes thereafter undergo team training and qualification-related activities; and, finally, the names are nominated to the Asian Games. The selection is thus intended to be based on a continuing assessment of the athletes and not on a single isolated event conducted at the end of the process.

12.19. He submits that Module 2 reinforces the objective nature of the process. It provides for



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assessment through performance heats, technical drills, physical testing, psychological/HP screening and compliance, with the weightings to be published in advance. The result of the assessment is to be an objective composite score on the basis of which the athletes progress.

12.20. Module 3 thereafter requires the Selection Committee to consider the Module 2 scores together with the 2025 ranking points while reducing the competition squad and bench. Thus, the Policy itself provides the Selection Committee with an objective framework for making the selection.

12.21. Learned counsel submits that the Policy also contemplates the possibility of an internal Surf-Off. Module 4 states that internal Surf-Offs may be conducted by 15.07.2026, if required. However, this provision has to be read along with the other provisions of Clause 5, particularly the express tie-break provisions in Modules 1 and 3. The mere fact that a Surf-Off is contemplated does not mean that it can be



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used to bypass the prescribed tie-break mechanism.

12.22. According to learned counsel, this interpretation is supported by the subsequent clarification furnished by the General Secretary of the SFI on 21.06.2026. The General Secretary suggested a sequential process: first, comparison of the objective performance data; second, application of the tie-break sequence contained in the Policy; third, if the matter still remained unresolved, consideration of an internal Surf-Off; and, thereafter, escalation to MYAS/SAI if necessary. Thus, even on the SFI's own clarification, a Surf-Off was not the first method available for resolving the deadlock.

12.23. Learned counsel submits that the above provisions assume greater significance in the light of the decision of the Appeals Panel dated 16.06.2026. The earlier selection had already been set aside because the Selection Committee had not been constituted in accordance with Clause 10 of the Selection Policy. The Appeals Panel found that the defect went to the constitution of the decision-making



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body itself and directed that a fresh Selection Committee be constituted in accordance with the Policy.

12.24. He submits that the Appeals Panel also examined the period and material which were required to be considered in the fresh selection. It held that the relevant period could not be restricted to events commencing from September 2025 and directed that events from 01.01.2025 onwards be taken into consideration. The direction was significant because it ensured that the performance of the athletes in the Asian Surfing Championship, 2025 would form part of the assessment.

12.25. Learned counsel further submits that the Appeals Panel considered the MYAS Directive dated 24.09.2025 and held that the performance in the Asian Surfing Championship, including the prescribed benchmark, was an important consideration. The Appeals Panel did not prescribe any fixed numerical weight for that performance. At the same time, it made it clear that a departure from the benchmark required detailed and



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substantial reasons. Thus, according to learned counsel, the absence of a fixed numerical weight did not permit the Selection Committee to ignore the performance altogether.

12.26. This direction was particularly relevant to the Petitioner, who had secured the Bronze Medal in the Asian Surfing Championship, 2025. Learned counsel submits that the Petitioner's performance was therefore one of the specific international performances which the Appeals Panel had directed the fresh Selection Committee to consider.

12.27. He further submits that the Appeals Panel had also cautioned against relying upon a subjective assessment where objective comparative data could be considered. While recognising that the experience and knowledge of the Head Coach could have a role where objective criteria were equal, the Appeals Panel indicated that the results of the competing athletes should first be compared and evaluated on an objective basis.

12.28. Pursuant to the decision dated 16.06.2026, a Special Selection Committee was constituted. The Committee unanimously selected Mr.



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Kishore Kumar as the first confirmed athlete and Mr. Srikanth D. as the second reserved athlete. However, when the Committee considered the Petitioner and Respondent No.5 for the second confirmed position and the first reserved position, it could not arrive at a unanimous or majority decision and recorded that there was a tie between the two athletes.

12.29. Learned counsel submits that the existence of a tie did not give the Committee a fresh or unrestricted power to devise a method of selection. The Policy already contained tie-break provisions, and the General Secretary's subsequent clarification identified the order in which those provisions and other available mechanisms were to be considered.

12.30. The clarification dated 21.06.2026 required the Committee first to consider objective, cross-comparable performance data. The Asian Surfing Championship, 2025 was expressly identified as an important objective input. If that exercise did not resolve the matter, the next step was to apply the tie-break sequence under the Policy, namely the head-to-head



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record, the highest best single-event result/points, the second-best single-event result and the final subjective assessment. Only if the issue still remained unresolved was a Surf-Off suggested, followed, if necessary, by reference to MYAS/SAI.

12.31. Learned counsel submits that this was a sequence and not a choice between alternative methods. The Committee was therefore required to complete the first two stages before considering the Surf-Off.

12.32. According to learned counsel, the proceedings of the Special Selection Committee dated 21.06.2026 show that the prescribed sequence was not completed. The members continued to disagree on the meaning and application of the objective criteria. One issue was the scope of "head-to-head" comparison. Another concerned the averaging of percentile scores where the athletes had participated in different numbers of competitions. No consensus emerged on these methodological issues.

12.33. Learned counsel submits that such disagreement could not by itself justify



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abandoning the tie-break mechanism. If the Committee found genuine difficulty in applying a provision of the Policy, it was required either to apply the provision by recording its reasons or obtain appropriate clarification from the competent authority. It could not replace the prescribed mechanism with a different one.

12.34. The principal grievance of the Petitioner, therefore, is that the Committee did not first apply the Policy's tie-break sequence and then conclude that the tie continued. Instead, while the members were still divided on the methodology of comparison, the discussion moved towards the possibility of a Surf-Off. According to learned counsel, this amounted to bypassing the prescribed process.

12.35. Learned counsel submits that the failure to give meaningful consideration to the Petitioner's Bronze Medal in the Asian Surfing Championship, 2025 is a separate and material defect. The Committee itself recognised that the Asian Championship performance was an important factor. However, because there was no fixed numerical weight assigned to that



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performance, it did not incorporate the performance into the comparative assessment in any meaningful manner.

12.36. He submits that there is a clear distinction between not assigning a fixed numerical weight to a factor and not considering the factor. The Appeals Panel had consciously declined to prescribe a numerical formula, but had directed that the Asian Championship performance be considered. The General Secretary's clarification also treated that performance as an important objective input. Therefore, the absence of a prescribed numerical score could not be a reason for disregarding the Petitioner's Bronze Medal.

12.37. Learned counsel further submits that the Comprehensive Analytical Report placed before the Special Selection Committee contained extensive comparative material, including International and National results, rankings, wins, percentile analysis, podium finishes, heat-win percentages, advancement percentages, best-wave scores, clutch-wave statistics, National Coaching Camp data and athlete-



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comparison metrics. The existence of this material, however, did not by itself satisfy the requirement of objective assessment. The Committee was required to show how the relevant material, including the Asian Championship performance, was considered and applied to the two athletes.

12.38. The subsequent voting also did not resolve the matter. Two members voted in favour of the Petitioner and two in favour of Respondent No.5. Thus, the voting resulted in an equal division. Learned counsel submits that this situation called for application of the prescribed tie-break mechanism or, if clarification was required, reference to the competent authority. Instead, the Committee proceeded towards recommending a Surf-Off even though the earlier stages of the prescribed process had not been completed.

12.39. Learned counsel submits that the procedural difficulty was further aggravated when Ms. Nitisha Sethia expressed reservations regarding the methodology being adopted, including the treatment of the Asian Surfing Championship,



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2025 performance, and thereafter exited the meeting. Despite her exit, the remaining members continued the discussion regarding the Surf-Off. According to learned counsel, once the constitution of the Committee had been materially affected, the remaining members ought not to have proceeded with the selection exercise without obtaining appropriate directions from the competent authority.

12.40. Learned counsel submits that the subsequent action of the Executive Council also suffers from a separate infirmity. Under Module 5 of Clause 5, the provisional names are to be approved by the Selection Committee and thereafter ratified by the Executive Council. According to learned counsel, this indicates that the Executive Council's role is one of ratification of a selection already made in accordance with the Policy and not substitution of its own selection for that of the Selection Committee.

12.41. The significance of this provision arises because the Executive Council described its action as an "Executive Call" and selected Respondent No.5 as the second confirmed athlete, placing the



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Petitioner as the first reserve. Learned counsel submits that the Policy does not confer an independent power upon the Executive Council to make an original selection merely because the Selection Committee has failed to resolve a deadlock. The power of ratification presupposes a valid provisional selection by the Selection Committee.

12.42. He submits that the Executive Council could not therefore cure the failure of the Special Selection Committee to complete the prescribed process by making its own selection. If the Selection Committee had not lawfully completed the exercise, there was no valid provisional selection capable of being ratified.

12.43. Learned counsel further relies upon the communication of the SFI dated 22.06.2026. In paragraph 10, the Federation stated that the Petitioner's Bronze Medal had been considered but was not determinative of the outcome. In paragraph 11, the Federation referred to paragraph 5 of the MYAS Directive dated 24.09.2025, described as the "Relaxation Clause", and sought the Ministry's concurrence.



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12.44. Learned counsel submits that the reference to the relaxation provision is significant because it indicates that the Federation itself understood that the final selection involved a departure from the benchmark contemplated by the MYAS Directive. Such a power, even if available, could not be used to cure an otherwise defective selection process. The prescribed procedure had first to be completed, and any relaxation had to be exercised by the competent authority in accordance with the conditions governing that power and for reasons capable of scrutiny.

12.45. Learned counsel also submits that the Respondents cannot rely upon administrative urgency to justify the departure from the Policy. Although the Respondents relied upon the deadline for submission of names, the Policy itself contemplated an internal Surf-Off, if required, by 15.07.2026 and provided for final nomination thereafter. The Policy therefore did not make the immediate adoption of a Surf-Off necessary. In any event, an administrative deadline could not enlarge the authority of the Selection Committee or the Executive Council



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or dispense with the prescribed selection procedure.

12.46. Learned counsel submits that the Petitioner is not asking this Court to determine which of the two athletes is the better surfer. Nor does he seek substitution of the Court's assessment for that of the sporting experts. The challenge is to the manner in which the decision was reached.

12.47. According to learned counsel, the Court is therefore concerned with whether the Respondents acted in accordance with the Selection Policy, whether the directions of the Appeals Panel were followed, whether relevant considerations were taken into account, and whether the prescribed mechanism for resolving the tie was applied.

12.48. He submits that expertise in the field of sport does not exempt the SFI from complying with the rules framed by it. Once the Federation prescribed the criteria and procedure for selection, the Selection Committee was required to act within that framework. Its discretion was therefore structured by the Policy and could not be treated as an



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unrestricted power to adopt a different methodology whenever the prescribed process became difficult to apply.

12.49. Learned counsel further submits that the case is therefore one of process and not sporting merit. The Petitioner challenges the failure to follow the declared selection procedure, the failure to meaningfully consider a factor which the Appeals Panel had expressly directed to be considered, the failure to apply the prescribed tie-break mechanism, and the subsequent assumption of the selection function by the Executive Council.

12.50. Learned counsel submits that the following circumstances, taken together, vitiate the impugned selection:

12.50.1. the Appeals Panel had directed a fresh selection in accordance with the Selection Policy and had specifically required the relevant international performances from 01.01.2025 to be considered;



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- 12.50.2. the Petitioner had secured a Bronze Medal in the Asian Surfing Championship, 2025, which was therefore a relevant performance requiring consideration;
- 12.50.3. the Selection Committee acknowledged the importance of the Asian Championship performance but did not give a clear account of how it was evaluated;
- 12.50.4. the Policy prescribed objective tie-break criteria, and the General Secretary's clarification placed those criteria before a Surf-Off in the sequence of decision-making;
- 12.50.5. the Special Selection Committee did not complete the prescribed tie-break exercise;
- 12.50.6. the Committee remained divided on the methodology and ultimately reached an equal vote;
- 12.50.7. after the exit of one member, the remaining members proceeded to



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consider a Surf-Off without first completing the prescribed process;

12.50.8. the Executive Council thereafter made what was described as an "Executive Call" and selected Respondent No.5, although the Policy contemplated ratification of the Selection Committee's provisional selection; and

12.50.9. the Federation subsequently referred to the relaxation provision of the MYAS Directive, although the selection process itself had not, according to the Petitioner, been completed in accordance with the governing Policy.

12.51. Learned counsel submits that these are not isolated technical irregularities. They concern the constitution of the decision-making process, the criteria required to be considered, the manner in which a tie was required to be resolved, and the authority competent to make the final selection. The cumulative effect, according to learned counsel, is that the Petitioner was not assessed in the manner prescribed by the SFI's own Selection Policy.



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12.52. He therefore submits that the selection of Respondent No.5 as the second confirmed athlete and the consequential placement of the Petitioner as the first reserve are liable to be set aside. The appropriate course, according to learned counsel, would be to direct a fresh exercise by the competent authority strictly in accordance with Clause 5 of the Selection Policy, the decision of the Appeals Panel dated 16.06.2026, the MYAS Directive dated 24.09.2025 and the sequential mechanism clarified by the General Secretary.

12.53. In the alternative, if the material already available before the Court demonstrates that application of the prescribed objective criteria and tie-break mechanism leads to a definite result, learned counsel submits that the authorities ought to give effect to that result in accordance with the Policy.

12.54. Learned counsel accordingly submits that the Petitioner does not seek a determination by this Court that he is the better athlete. His case is that the SFI had itself laid down the rules by which the competing athletes were to be



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assessed, and the tie was to be resolved. Having framed those rules, the Respondents were required to follow them. The departure from that process, culminating in the selection of Respondent No.5 through an "Executive Call", according to learned counsel, renders the impugned selection unsustainable.

13. Sri.Ajay J. Nandalike., learned counsel for SFI would submit that;

13.1. The selection of athletes to represent India in a sporting event is primarily entrusted to the concerned National Sports Federation. He refers to the instructions issued by the Ministry of Youth Affairs and Sports ("MYAS") on 05.03.2025 and submits that the National Sports Federation is responsible for the selection of sportspersons for such international competitions. According to him, the SFI, being the National Sports Federation governing surfing in India, is therefore the competent body to undertake the selection of athletes for the Asian Games.

13.2. The composition of the Selection Committee is also to be determined within the framework



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applicable to the National Sports Federation and, according to the SFI, the President of the Federation has the authority in that regard. He submits that the selection of the athletes who will represent India, as well as the identification of reserve athletes, is therefore a matter entrusted to the SFI and its duly constituted Selection Committee.

13.3. Learned counsel submits that selection in sport involves an assessment of several factors and cannot be reduced to one particular performance or one isolated criterion. The assessment may include an athlete's past and recent performance, ranking, consistency, technical ability, performance in different competitions and overall suitability to represent the country. These are matters within the expertise of the sporting federation and its Selection Committee.

13.4. On this basis, learned counsel submits that the scope of judicial review in such matters is limited. According to him, the Court is not expected to sit as an appellate authority over the sporting body or re-assess the comparative sporting abilities of two athletes. Unless the



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selection is shown to be contrary to the applicable rules, arbitrary, mala fide or otherwise legally unsustainable, the assessment made by the expert body ought not to be substituted by the Court's own assessment.

13.5. Learned counsel submits that the earlier Selection Committee had also assessed the competing athletes and had recommended Mr. Kishore Kumar and Respondent No.5 as the athletes constituting the strongest team for the 2026 Asian Games. Mr. Srikanth D. and the Petitioner were, according to the earlier recommendation, placed in the reserve positions.

13.6. He submits that the subsequent Selection Committee, though constituted pursuant to the directions of the Appeals Panel, also arrived at a broadly similar assessment as regards the relative standing of the athletes. While Mr. Kishore Kumar was selected as the first confirmed athlete and Mr. Srikanth D. was placed as a reserve, Respondent No.5 was ultimately selected as the second confirmed athlete and the Petitioner was placed as the first reserve. According to learned counsel, the



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fact that two selection exercises have assessed the relative standing of the athletes in substantially the same manner is a relevant circumstance which supports the ultimate selection made by the SFI.

13.7. Learned counsel further submits that the Petitioner cannot rely upon the views expressed by Ms. Nitisha Sethia as establishing that the selection process was defective. According to the SFI, Ms. Nitisha Sethia was associated with Surf Kerala, the same State association with which the Petitioner is associated. It is therefore contended that her views concerning the Petitioner's candidature have to be considered in that background. Learned counsel submits that her observations, particularly when she expressed reservations regarding the methodology and subsequently exited the meeting, cannot by themselves be treated as conclusive proof that the selection process was unfair or that the Petitioner ought to have been selected.

13.8. As regards the email dated 21.06.2026 sent by the General Secretary of the SFI, learned counsel submits that no adverse inference can



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be drawn from the same. According to him, the General Secretary did not make a selection or determine the relative position of the Petitioner and Respondent No.5. The communication merely set out the possible courses of action available to the Special Selection Committee for resolving the deadlock. The ultimate decision remained with the Special Selection Committee.

13.9. Learned counsel submits that the General Secretary's clarification in fact emphasised the need for objective criteria and transparency. It did not direct the Committee to select either of the competing athletes. The Committee was required to consider the objective material and arrive at its own decision. Therefore, according to learned counsel, the subsequent reliance placed by the Petitioner upon the General Secretary's communication as though it constituted a binding direction to follow one particular course is misplaced.

13.10. Learned counsel submits that, despite the efforts of the Special Selection Committee, the deadlock between the Petitioner and Respondent No.5 continued on 21.06.2026. The matter had to be resolved urgently because the



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SFI was required to communicate the names of the Indian surfing squad within the time prescribed for the Asian Games.

13.11. He submits that, on 22.06.2026, the SFI informed the Indian Olympic Association about the deadlock in the Special Selection Committee and requested that a Surf-Off be organised between the Petitioner and Respondent No.5. The SFI also sought the maximum possible extension of time for resolving the issue through that mechanism.

13.12. Learned counsel submits that no response was received to the communication sent by the SFI at about 3.45 p.m. on 22.06.2026. In those circumstances, and having regard to the impending deadline, the SFI proceeded to forward the names of the selected athletes on 23.06.2026. According to learned counsel, this was done to ensure that India did not lose an available quota position or its representation in the surfing events at the Asian Games.

13.13. He submits that the action of the Executive Council has to be understood in this context. The decision was taken to protect the interests



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of Indian surfing and, more importantly, to ensure that India was represented in the event. According to learned counsel, the Executive Council was therefore acting in a situation where a decision had to be communicated within a short period and where failure to do so could have resulted in India losing the opportunity to nominate an athlete.

13.14. Learned counsel submits that the selection was not based solely upon one competition or one recent result. The comparative standing of the Petitioner and Respondent No.5 over a number of years was also considered. According to the material relied upon by the SFI, the Petitioner was ranked second in India in 2022, while Respondent No.5 was ranked twelfth. In 2023, the Petitioner continued to be ranked second, while Respondent No.5 improved to fourth. In 2024, the Petitioner was ranked first and Respondent No.5 sixth. In 2025, Respondent No.5 improved to second position while the Petitioner was ranked fourth. In 2026, Respondent No.5 was jointly ranked first along with Mr. Kishore Kumar, while the Petitioner was ranked fourth.



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13.15. Learned counsel submits that the above progression was relevant to the assessment of the two athletes. According to the SFI, Respondent No.5 had shown a consistent improvement in his national ranking during 2025 and 2026 and, by the time of the selection, stood ahead of the Petitioner in the relevant ranking. The SFI therefore considered the recent performance and ranking position of Respondent No.5 as supporting his selection for the confirmed position.

13.16. Learned counsel submits that the Petitioner seeks to place considerable reliance upon his Bronze Medal in the Asian Surfing Championship, 2025. According to the SFI, that achievement was taken into account, but the Federation did not consider it to be conclusive of the selection. The selection had to be based upon the overall record of the athletes and not upon a single achievement, however significant.

13.17. He submits that the Appeals Panel had itself not prescribed any fixed numerical weight for the Asian Surfing Championship performance. Therefore, according to learned counsel, the absence of a particular mathematical advantage



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to the Petitioner on account of the Bronze Medal cannot by itself render the final selection invalid. The relevant question is whether the overall performance record was considered, and the SFI's case is that it was.

13.18. Learned counsel further submits that there is, even now, a practical means of resolving the dispute between the two athletes. The SFI has filed a memo stating that it remains willing to conduct a Surf-Off between the Petitioner and Respondent No.5, since both athletes are presently undergoing training at the National Training Camp.

13.19. According to learned counsel, such a Surf-Off would provide a direct and contemporaneous assessment of the two athletes and would remove the uncertainty which has arisen from the competing interpretations of the historical performance data. He submits that the SFI is willing to conduct the Surf-Off in accordance with a transparent procedure and to select the winner as the athlete to occupy the confirmed position, subject to the directions of this Court.



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13.20. Learned counsel further submits that the Petitioner's apprehension regarding the neutrality of such a Surf-Off can also be addressed. The SFI is willing to constitute an independent panel of International Judges for the purpose of conducting and evaluating the Surf-Off. According to learned counsel, the constitution of such an independent panel would ensure that neither athlete has any reasonable apprehension of bias and that the result is determined solely on the basis of performance in the event.

13.21. Learned counsel therefore submits that the proposal for a Surf-Off is not intended to undermine the Selection Policy but is offered as a practical means of resolving the continuing deadlock between two athletes who, according to the SFI, have both demonstrated sufficient merit to be considered for the position.

13.22. Learned counsel reiterates that the Court ought not to substitute its assessment for that of the SFI merely because another view of the sporting merits is possible. The Federation is the body entrusted with the selection of athletes and possesses the necessary sporting



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expertise to assess their relative suitability. Judicial review, according to him, should remain confined to examining whether there has been a violation of the governing rules or a decision which is arbitrary, mala fide or otherwise legally impermissible.

13.23. He submits that the present case does not disclose such a situation. The SFI had constituted a Selection Committee, considered the performance and ranking of the athletes, attempted to resolve the deadlock, sought clarification from its General Secretary, informed the Indian Olympic Association of the position, sought additional time for a Surf-Off and, when no response was received within the available time, proceeded to communicate the names so that India's representation would not be jeopardised.

13.24. Learned counsel accordingly submits that the selection of Respondent No.5 as the second confirmed athlete and the placement of the Petitioner as the first reserve ought not to be interfered with. In the alternative, and without prejudice to the above submissions, he submits that if this Court considers that the continuing



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deadlock requires an independent resolution, the SFI is willing to conduct a Surf-Off between the Petitioner and Respondent No.5 under the supervision of an independent International Judges' Panel and to abide by the result thereof.

13.25. On question of law, he relies upon ***Ishwar Singh v. State of Rajasthan***,¹ more particularly para 10 and 12 thereof, which are reproduced hereunder for easy reference;

10. In Collins English Dictionary the word "delegate" has been stated to be a person who is chosen to vote or make decisions on behalf of a group of other people. If you delegate duties, responsibilities or power to someone, you give them those duties, those responsibilities, or that power so that they can act on your behalf. If you are delegated to do something you are given the duty of acting on someone else's behalf by making decisions, voting, or doing some particular work.

12. According to Venkataramaiya's Law Lexicon, "delegation" as the word generally used does not imply a parting with powers by the person who grants the delegation, but points rather to a conferring of an authority to do things which otherwise the person would have to do himself.

13.26. Relying on ***Ishwar Singh*** his submission is that the Hon'ble Supreme Court has explained

¹ (2005) 2 SCC 334



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that delegation involves conferring authority upon another to act on behalf of the principal and does not ordinarily amount to a complete parting with the underlying power.

13.27. Relying upon the said principle, learned counsel submits that the Special Selection Committee was a delegate of the SFI, constituted to undertake the selection exercise. Its constitution did not result in the SFI losing its ultimate authority over the selection of athletes.

13.28. He submits that the Special Selection Committee failed to arrive at either a unanimous or majority decision regarding the Petitioner and Respondent No.5 and recorded a deadlock. In such circumstances, the failure of the delegate to arrive at a decision did not extinguish the authority of the principal. The SFI, through its Executive Council, was entitled to exercise the power retained by it and bring the selection process to a conclusion.

13.29. Learned counsel submits that the Executive Council's decision was therefore not an assumption of a power belonging exclusively to



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the Special Selection Committee. It was an exercise of the authority of the principal after the delegate had failed to reach a decision. The expression "ratification" in the Selection Policy, according to him, cannot be read as completely excluding the SFI's retained power to act where the Selection Committee is unable to arrive at a decision.

13.30. He further submits that the Executive Council's decision must be viewed in the context of the urgent deadline for communicating the names to the Indian Olympic Association. The SFI could not risk losing India's quota or representation in the Asian Games merely because the delegated Committee remained deadlocked.

13.31. Learned counsel therefore submits that, applying the principle in ***Ishwar Singh***, the Special Selection Committee's role was one of delegated authority and not an exclusive transfer of the SFI's power. The deadlock before the delegate left the matter unresolved but did not deprive the principal of its authority to decide. The Executive Council was consequently



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competent to take the final decision in the circumstances of the present case.

13.32. He relies on the decision of the Hon'ble Apex Court in ***Swastika Ghosh v. Table Tennis Federation of India***,² more particularly para 12 to 18 thereof, which are reproduced hereunder for your reference;

12. *A perusal of the above order makes it clear that the Committee of Administrators was entrusted with all the powers and duties of functioning of the Federation. The Committee of Administrators has minutely examined the claim of each of the sportsperson and passed a detailed order while finalising the list, which is under challenge. The power of judicial review in the matters relating to sports can be exercised only if there is an allegation of bad faith. In such matters, the courts should give great credence to the decision of the Expert Committee and the coaches. If the courts starts interfering in the decision of such Committees it would have a drastic inhibiting effect on its functioning. The scope of power of judicial review was also laid down by the Supreme court in State of U.P. v. Johri Mal [State of U.P. v. Johri Mal, (2004) 4 SCC 714] wherein it was held that the scope and extent of power of the judicial review of the High Court contained in Article 226 of the Constitution of India would vary from case to case, the nature of the order, the relevant statute as also the other relevant factors including the nature of power exercised by the public authorities, namely, whether the power is statutory, quasi-judicial or administrative. It was*

² 2022 SCC Online Del 1817



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held that the power of judicial review is not intended to assume a supervisory role or don the robes of omnipresent or to review governance under the rule of law or to enable the courts to step into the areas exclusively reserved by the *suprema lex* to the other organs of the State. It was expressly observed that **an order passed by an administrative authority exercising discretion vested in it, cannot be interfered in judicial review unless it is shown that exercise of discretion itself is perverse or illegal.**

13. This Court in *Shumel v. Union of India* [*Shumel v. Union of India*, 2010 SCC OnLine Del 4706] has also *inter alia* held as under:

13. ... **How the relative merits of the different candidates should be evaluated is not a matter for this Court to decide. That is best left to the experts in a particular field of sport.** Irrespective of what may have been the past performance of a sportsperson, the current consistent form of such sportsperson should be critical in such decision-making given the objective of ensuring that the best performing candidate should represent India at the CWG, 2010. On an overall conspectus of what has transpired, this Court is not able to conclude that the exclusion of the Petitioner from the selection trials for the 72 kg class women's wrestling for the CWG, 2010 which is to take place on 7-8-2010 and 8-8-2010 is either arbitrary or unreasonable.

14. In *Sushil Kumar v. Union of India* [*Sushil Kumar v. Union of India*, 2016 SCC OnLine Del 3660], this Court *inter alia* held that **a writ court will not interfere in exercise of discretion of the National Sports Federation and substitute its own judgment except where discretion is shown to have been exercised in an arbitrary or capricious or perverse**



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manner or is contrary to settled principles of practices. The court *inter alia* held that the decision, who should represent India in a sporting event is best left to the experts i.e. the National Sports Federation concerned. The judgment in Sushil Kumar case [Sushil Kumar v. Union of India, 2016 SCC OnLine Del 3660] was also followed by this Court in Karamjyoti v. Union of India [Karamjyoti v. Union of India, 2016 SCC OnLine Del 6766] whereby it was *inter alia* held as under:

42. I am in complete agreement with the view taken in Sushil Kumar case [Sushil Kumar v. Union of India, 2016 SCC OnLine Del 3660] that the decision, who should represent India in a sporting event, is best left to the experts. In the matters of selecting the best possible candidate to represent India in an international competitive event, there cannot be any interference by this Court in the selection criteria set down by the National Sports Federation concerned and also as to how the relative merits of the different candidates is to be evaluated, which is for the experts to decide and not this Court.

15. In *Paralympic Committee of India v. Naresh Kumar Sharma* [Paralympic Committee of India v. Naresh Kumar Sharma, 2018 SCC OnLine Del 8443] this Court has *inter alia* held as under:

11. The purpose of preparing the above tabular chart is to ascertain whether the Committee's process of selection is manifestly or *prima facie* arbitrary. This Court recollects the compass that it has to apply in such matters. It is beyond dispute that in matters of policy decisions, the court should be circumspect in interfering and must exercise its power of judicial review only to prevent manifest arbitrary or *mala fide* action. Beyond this narrow scope of enquiry, courts do



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not possess the ability or the wherewithal to "second-guess" policy decisions made by specialised bodies tasked with that purpose. Specifically, in the context of selection of athletes for sporting events, this Court in previous decisions such as Karamjyoti v. Union of India [Karamjyoti v. Union of India, 2016 SCC OnLine Del 6766] and Shumel v. Union of India [Shumel v. Union of India, 2010 SCC OnLine Del 4706] , has held that a writ court will not interfere in the exercise of discretion of the National Sports Federation except where the discretion is shown to have been exercised in an arbitrary or capricious or perverse manner or contrary to the settled principles or practices. What then is the task before this Court, is to ascertain whether on a broad, prima facie view, without getting into the intricacies of the policy decision, there is manifest arbitrariness or mala fides in the decision-making of the Committee.

13. The court must resist adopting a one-size-fits-all approach. In other words, any one single performance at one competition or trial cannot be used as a barometer *to make the decision of whether to select an athlete. In sports, as the impugned order also notes, same players perform differently on different occasions and a number of factors influence an athlete's performance. Therefore, the Petitioner's performance at the court ordered trial cannot, by and of itself, be considered sufficient to warrant his selection for particular events. The Committee has to take a broader view and analyse the performances of the athletes/sportspersons over different competitions and trials. As such therefore, the court does not find any infirmity with the reasoning of the Committee, insofar as all events other than R-7 are concerned (to which we will turn subsequently).*



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14. This Court is conscious that the Committee has to consider a wide variety of other factors, including logistical and practical considerations, in selecting athletes. For instance, age is a pertinent consideration; in order to promote budding talent and to ensure that through exposure over periods of time athletes become better prepared and in turn are likelier to win medals for the country, the Committee has found it necessary to give younger athletes a chance over some older athletes. This could for example explain preferring Avani, who is 16 years old, over the Petitioner for event R-6 for the 2018 Al Ain Championship, even though the Petitioner had a higher score than her in the 61st NSC in the said event. However, in the 2018 Al Ain Championship, Avani's score was higher than all the other athletes (even when compared to the Petitioner's performance in the court ordered trial), and that too by a significant margin, thereby in some ways justifying the Committee's decision to send her over the Petitioner.

16. *Though the jurisdiction of the court under Article 226 of the Constitution of India is very wide but it has to be used with circumspection. The names in the present case have been finalised by the Committee of Administrators appointed by this Court in Manika Batra v. Table Tennis Federation of India [Manika Batra v. Table Tennis Federation of India, 2021 SCC OnLine Del 4479] vide judgment dated 11-2-2022. Learned counsel for the Petitioners have taken this Court through the findings of the Committee of Administrators. A bare perusal of the findings of the Committee of Administrators makes it clear that the Committee has threadbare examined the entire issue and then after taking into account all aspects finalised the names to be sent for participating in the Commonwealth Games. The court in the present jurisdiction cannot substitute its own view with the view arrived into by the Committee of*



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Administrators and the Selection Committee. The courts do not have any expertise to get into the selection and finalisation of players for participation at the international level. This Court is conscious of the fact that any such findings can be interfered with only if there is any perversity or arbitrariness in the findings arrived into by the Federation concerned. However, I do not find any such arbitrariness or perversity in the such order and furthermore, Mr Moazzam Khan, learned counsel for Respondent 1 has stated at bar that the names have already been finalised and sent to the Indian Olympic Association.

17. *The court has to take into account that the Selection Committee/Expert Committee has to take account numerous factors while taking decision of selecting sportsperson to represent the country. This exercise cannot be as simple as comparing scores based on individual performances. In the present case also Committee of Administrator has weighed different factors and therefore, this Court finds itself unable to interfere in exercise of its power of judicial review. This Court also finds complete absence of any arbitrariness or mala fide in the decision arrived at by the Committee of Administrators.*

18. *To represent a nation and to participate, perform and excel in the arena of international sports, a player must not only possess physical but great mental and emotional strength and agility. It is thus pivotal that there should be no uncertainty in the minds of the players. Such litigations may disrupt and impact the preparation and performance of the players.*

13.33. By relying on **Swastika Ghosh's** case, learned counsel submits that the scope of judicial



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review in matters concerning selection of sportspersons is extremely limited. The choice of an athlete to represent the country is primarily a matter for the National Sports Federation and its Selection Committee, which possess the necessary expertise to assess the relative merits and suitability of the athletes. The Court should not substitute its own assessment for that of the expert body.

13.34. He submits that judicial review in such matters is warranted only where the decision is shown to be arbitrary, perverse, mala fide or otherwise illegal. The Court is not required to examine whether another view on the sporting merits is possible.

13.35. He submits that the Court should also bear in mind that selection of an athlete cannot ordinarily be based upon one isolated performance. The expert body is entitled to consider the athlete's performance across different competitions, consistency, current form and other relevant circumstances. A single performance cannot, by itself, determine the selection.



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13.36. Learned counsel further submits that selection of athletes involves consideration of several factors which cannot always be reduced to a simple comparison of scores. The Selection Committee may consider the overall performance of the athletes and other practical and sporting factors relevant to their ability to represent the country at an international event.

13.37. He therefore submits that the present case does not warrant interference under Article 226 of the Constitution. The SFI and its Selection Committee considered the performance and ranking of the Petitioner and Respondent No.5 and arrived at a decision within their area of expertise. Unless the Petitioner establishes that the decision is manifestly arbitrary, perverse, mala fide or contrary to the governing rules, this Court ought not to re-appreciate the comparative merits of the two athletes.

13.38. Learned counsel submits that the principle of judicial restraint is particularly important in the present case since the selection concerns India's representation at an international sporting event. Uncertainty arising from



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prolonged litigation may also affect the preparation and performance of the athletes.

13.39. He accordingly submits that the Court's enquiry should remain confined to the legality and fairness of the decision-making process and should not extend to determining whether the Petitioner or Respondent No.5 is the better surfer. On the material placed before the Court, according to learned counsel, there is no such arbitrariness, perversity or mala fides as would justify interference with the selection.

13.40. He relies on the decision of the Hon'ble High Court of Delhi in **Anush Agarwalla vs. Ad-hoc Committee for Governance of Equestrian Federation of India**,³ more particularly 56 thereof, which is reproduced hereunder for easy reference;

56. Having regard to the deadline of 15.07.2026, it is logistically impracticable to conduct a further competition within the time available, particularly since the riders and horses are located at different places across the globe and transporting horses from different locations to a common venue for conducting a competition amongst all six (6) Probables would not be possible in such a short span of time.

³ LPA 458/2026 dated 06.07.2026



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13.41. By relying on **Anush Agarwalla**, his submission is that, while considering the selection process for an international sporting event, the Hon'ble Delhi High Court took note of the proximity of the deadline and held that conducting a fresh competition within the limited time available was logistically impracticable.

13.42. Learned counsel submits that the present proceedings have to be considered in the context of the deadline for submission of the names for the Asian Games. The names having already been forwarded by the SFI to the Indian Olympic Association, and the prescribed deadline having elapsed, according to him, no effective relief can now be granted in the present proceedings and the petition has consequently become infructuous.

13.43. Learned counsel further submits that the decision in **Anush Agarwalla** was carried in appeal before the Hon'ble Supreme Court in SLP No.22940/2026. According to him, though notice was issued, the Hon'ble Supreme Court did not grant interim relief so as to disturb the selection process. He submits that this also



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indicates the need for judicial restraint in matters concerning selection by a National Sports Federation, particularly where the sporting event is imminent and the selection process has already progressed.

13.44. He therefore submits that, having regard to the completed selection process, the forwarding of the names and the proximity of the Asian Games, the Court ought not to reopen the selection or direct a fresh selection exercise at this stage.

13.45. On these grounds, he submits that the above writ petition is required to be dismissed.

14. Sri.Snehil Balani., learned counsel for Respondent No.3 submits that;

14.1. Respondent No.3 has nothing to do with the matter. Respondent No.3 being the Indian Olympic Association receives the recommendation of selection made by the National Federation and forwards it to the Asian Olympic Association, who uploads it onto the web portal.



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14.2. In this matter, the list of selected candidates having been received by the Indian Olympic Association has been forwarded to the Asian Olympic Association and those names have been uploaded, no further order can be passed.

14.3. He relies on the calendar of events of the Asian Games and submit that the last date was 01.07.2026 for entry by name. Though it had been extended to 06.07.2026, the same was informed to Indian Olympic Association only on 05.07.2026 and as such there was no time to consider any other method of removing the deadlock. The action taken by Indian Olympic Association is proper and correct and to establish that the names of the athletes have been uploaded, he refers to Annexure-E which contains a printout of the shortlist report of the 20th Asian Games for Surfing.

14.4. On enquiry with Sri.Snehil Balani., learned counsel as to whether the procedure has been followed, his submission is that he has no instructions as regards any particular aspect not having been followed.



15. Sri.Abhilash.R., learned counsel for Sports Authority of India also makes a similar submission and submits that Sports Authority of India has nothing to do with the selection of any athlete. The entire selection is at the discretion of the National Federation, viz., the Surfing Federation of India.
16. Sri.Keshav M.Datar, learned counsel who appears for Respondent No.1-Union of India, also makes similar submission and submits that the Union of India has nothing to do with the selection criteria. On enquiry with Sri. Keshav M. Datar regarding the view of Respondent No.1 as to whether the SFI had followed the procedure prescribed under the Selection Policy, he submitted that he had no instructions in that regard.
17. Sri. P.N. Manmohan, learned Counsel for the Petitioner in reply submitted:
 - 17.1.Learned Counsel for the Petitioner submits that the Respondents cannot seek to avoid judicial scrutiny merely on the ground that the selection process has been completed or that the names have already been forwarded to the Indian Olympic Association.



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17.2. He relies on the judgment of the Hon'ble High Court of Delhi in ***Manjeet vs. Indian Olympic Association (IOA) and Ors.***,⁴ more particularly para 33, 45, 50, 51, 53, 54, 56, 57, 58 and 59 thereof which are reproduced hereunder for easy reference;

33. The Olympic Games represent the pinnacle of international sport. It is not merely a sports competition but a culmination of years of discipline, sacrifice, and hard work. The process by which athletes are selected to represent the country should reflect the highest standards of procedural fairness. For most athletes, there may be only one, at best two, Olympic Games in an entire lifetime where they have the opportunity to compete; an opportunity earned through years of relentless discipline, sacrifice, and unwavering commitment. A sporting career is fleeting by nature, where the athlete's peak performance is confined to a narrow and irreplaceable window of time.

45. Selection to represent the country at the Olympic Games is not an internal administrative exercise; it is a matter of national representation. Processes that disregard merit and transparency not only cause grave prejudice to individual athletes, who invest years of discipline and sacrifice, but also place the credibility of the nation's sporting institutions at stake. **The IOA along with its committees cannot start acting as a Super Selector and go beyond the four corners of its authority and create criteria for selection which do not exist in the Qualification System which is binding upon the Respondents.**

*50. The Ad-hoc Committee proceeded to apply selection criteria that are not traceable to any provision of the governing international qualification documents. The record reveals that **athletes were assessed and excluded on the basis of conditions i.e., participation in World championship, which do not find mention in the FIS Qualification System.** Such an approach strikes at the very foundation of a rule-based selection process.*

⁴ dated 30.01.2026 in W.P.(C) No.936/2026 in CM Appeal.4593 of 2026



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*51. Further, during the course of hearing, a stand has been taken by the Respondents that **the relief sought in the present petition has become infructuous on the ground that the last date for forwarding the list of athletes was 26.01.2026.** Reliance has also been placed on Clause 2.7.6 of the NOC Accreditation & Sport Entries Manual, relating to arrival in Italy and PVC validation.*

53. Equally disheartening is the casual and cavalier manner in which the Respondents have responded to the directions of this Court. Despite the acknowledged urgency of the matter, and notwithstanding the fact that Olympic selection directly implicates national representation in the international arena, the Respondents appear oblivious to the gravity of their responsibility and irresponsibility of their actions.

54. At this juncture it becomes necessary to observe that Athletes competing at international fora do not represent themselves alone; they represent our nation. The manner in which the Respondents have conducted themselves conveys an impression of institutional indifference to merit and excellence, as though mediocrity in international competition were an acceptable outcome. Talent, no matter how exceptional, can only flourish when supported by transparent, fair, and accountable institutions. In global sporting events, it is not merely the athlete but the country itself that is under observation.

*56. In view of the above, **it is held that the selection process is manifestly arbitrary and unfair, and Respondent Nos. 1 and 2 have failed in their duty as the Supervisory body.** Hence, the prayer A and B are allowed.*

*57. Although this Court has taken note of the Respondents' submission that **the impugned selection process has culminated and that consequential arrangements have already been acted upon,** however, since Respondent Nos. 1 and 2 have failed in their duty towards the Petitioner, Respondent No. 3 is directed to try and make all reasonable efforts to ensure that the Petitioner is permitted to participate in the XXV Olympic Winter Games, Milano Cortina 2026. Respondent Nos. 1 and 2 are also directed that they shall take immediate steps to provide full support to Respondent No. 3 in making necessary arrangements.*



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58. *This Court is of the view that inaction, arbitrariness, or unfair treatment on the part of administrative authorities cannot be permitted to operate as an impediment to the recognition of merit of Indian athletes, nor can it be allowed to deprive them of a legitimate opportunity to represent the nation at the XXV Olympic Winter Games, Milano Cortina 2026.*

59. *This Court also expresses its displeasure at the stand adopted by Respondent No. 3, the Ministry. As the repository of public trust and the nodal authority overseeing sports administration, Respondent No. 3 is duty-bound to ensure that the selection process is fair, transparent, and merit-based. The Ministry cannot act as a mute spectator or distance itself from the legitimate grievances and hardships faced by athletes, whose careers and once-in-a-lifetime opportunities depend upon institutional accountability and adherence to rules and regulations. The State and its instrumentalities are expected to act fairly, reasonably and ensure transparency at all levels.*

- 17.3. By relying on **Manjeet's** case, his submission is that the Respondents cannot wash off their responsibility and blame the SFI.
- 17.4. Learned Counsel submits that the said decision recognises that selection of an athlete to represent the country at an international sporting event is not merely an internal administrative matter. It directly concerns national representation and, therefore, the selection process must meet the requirements of fairness, transparency and adherence to the governing rules.



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- 17.5. Relying upon paragraph 45 of ***Manjeet***, he submits that the sports authorities and their committees cannot assume the role of a “Super Selector” or introduce criteria which are not contained in the governing qualification or selection framework. The selection authority must remain within the four corners of the rules governing the selection.
- 17.6. Learned Counsel submits that the same principle applies with greater force in the present case. The SFI itself framed the Selection Policy prescribing the manner in which the athletes were to be assessed and the manner in which a tie was to be resolved. Having prescribed those criteria, the SFI could not subsequently adopt a different methodology or permit the Executive Council to make an independent selection merely because the Selection Committee was unable to reach a decision.
- 17.7. He further submits that the decision in ***Manjeet*** also answers the contention that the petition has become infructuous merely because the names have already been forwarded. In that case also, the Respondents contended that the



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relief had become infructuous since the last date for forwarding the names had expired. Nevertheless, the Court proceeded to examine the legality of the selection process and granted consequential directions.

17.8. Learned Counsel submits that the forwarding of the names by the SFI, therefore, cannot create a fait accompli or defeat the jurisdiction of this Court. If the underlying selection is found to be arbitrary or contrary to the governing rules, consequential steps already taken cannot be relied upon to prevent the Court from granting appropriate relief.

17.9. He submits that the Hon'ble Delhi High Court in ***Manjeet*** also emphasised the seriousness of the responsibility borne by sports authorities in matters concerning international representation. Athletes represent the country and invest years of training and sacrifice for the opportunity to participate in such events. The authorities are consequently required to act with fairness, transparency and accountability.

17.10. Learned Counsel further submits that, where the selection process is found to be manifestly



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arbitrary or unfair, the Court is not powerless merely because consequential arrangements have already been made. In ***Manjeet***, despite noting that the selection process had culminated, and consequential arrangements had been acted upon, the Court directed the authorities to make all reasonable efforts to enable the Petitioner to participate in the Olympic Games.

17.11. He therefore submits that the Respondents cannot take advantage of their own subsequent actions. If the selection process was completed in a manner contrary to the governing Selection Policy, the forwarding of the names cannot validate the selection. Nor can the urgency of the situation be relied upon to justify departure from the prescribed procedure.

17.12. Learned Counsel accordingly submits that the principle of judicial restraint in sporting matters does not mean that the Court must refrain from examining a selection process which is contrary to the governing rules. The Court may not substitute its own view on sporting merit, but it can certainly examine whether the decision-making process was fair, transparent, rational



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and consistent with the applicable Selection Policy.

17.13. He submits that the present case is therefore distinguishable from a mere challenge to the comparative sporting assessment of two athletes. The Petitioner's grievance is that the Respondents did not follow the selection mechanism which they themselves had prescribed, failed to give proper effect to the directions of the Appeals Panel, did not complete the prescribed tie-break process and thereafter permitted the Executive Council to determine the selection.

17.14. Learned Counsel therefore submits that the Respondents cannot wash off their responsibility by placing the entire matter on the SFI or on the Selection Committee. The SFI is itself the authority which framed the Selection Policy, constituted the Selection Committee and ultimately communicated the names. Its responsibility is consequently to ensure that the entire selection process conforms to the governing framework. The principle stated in ***Manjeet***, according to learned Counsel, reinforces that the authorities



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entrusted with sporting administration cannot distance themselves from the fairness and legality of the selection process.

17.15. Learned Counsel for the Petitioner submits that the present case is not a case of a mere disagreement with the sporting assessment of the SFI. The selection process has, according to him, departed from the SFI's own Selection Policy at successive stages, and the impugned selection is therefore vitiated by procedural illegality.

17.16. He submits that the first departure occurred in the original selection process, which was challenged before the Appeals Panel. The Appeals Panel, upon examining the matter, set aside the selection and directed the SFI to undertake a fresh selection in accordance with the Selection Policy and the directions contained in its order.

17.17. The second departure, according to learned Counsel, occurred in the fresh selection process. The Special Selection Committee reached a deadlock between the Petitioner and Respondent No.5 without first completing the



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selection exercise in the manner contemplated by the Policy, including the prescribed objective criteria and tie-break mechanism.

17.18. The third and more significant departure occurred after the General Secretary of the SFI furnished his clarification dated 21.06.2026. The General Secretary indicated the sequence for considering the matter, which included applying the objective criteria and the tie-break mechanism under the Policy before resorting to a Surf-Off. Despite this clarification, the Special Selection Committee did not complete the prescribed tie-break exercise and proceeded towards a Surf-Off.

17.19. Learned Counsel submits that the position became still more serious after Ms. Nitisha Sethia resigned from the Committee. Despite the resignation and the consequent change in the composition of the Committee, the remaining members proceeded with further deliberations and ultimately recommended a Surf-Off. According to him, the Committee thereby proceeded to the last suggested course without first exhausting the mechanism expressly prescribed by the Policy.



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17.20. He submits that the Executive Council thereafter committed a further and independent departure from the Policy. The Selection Committee had not arrived at a concluded selection between the Petitioner and Respondent No.5. Nevertheless, the Executive Council itself selected Respondent No.5 and forwarded the names to the Indian Olympic Association. According to learned Counsel, the Executive Council's role under the Policy was not to substitute its own selection for that of the Selection Committee, and therefore the "Executive Call" could not cure the failure of the prescribed selection process.

17.21. Learned Counsel submits that the involvement of the IOA and the SAI also requires consideration. Even assuming that the SFI had sought additional time from the IOA, the IOA was aware of the impending deadline and ought to have responded to the SFI's communication dated 22.06.2026 seeking time for resolving the deadlock. According to him, the IOA could not remain a passive spectator when the selection process itself had become disputed and the SFI had sought its intervention.



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17.22. He submits that the deadline for submission of names was known to all the concerned authorities, namely, the SFI, IOA and SAI. It was therefore incumbent upon the authorities responsible for the process to act sufficiently in advance and ensure that the selection was completed in accordance with the governing Policy. Any delay or failure on their part, according to learned Counsel, cannot be permitted to operate to the prejudice of the Petitioner, who has spent years preparing and competing for an opportunity to represent the country.

17.23. Learned Counsel submits that the Respondents cannot rely upon their own administrative urgency to justify a departure from the Selection Policy. If the authorities were faced with a deadline, they were required to resolve the matter within the framework of the Policy or obtain appropriate directions from the competent authority. The resulting time constraint cannot retrospectively validate a selection which was not completed in accordance with the prescribed procedure.



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17.24. As regards the proposal for a Surf-Off, learned Counsel submits that the Petitioner has objection to participating in a Surf-Off as such. His objection is to the manner in which it is sought to be introduced. The Petitioner seeks implementation of the Selection Policy as it stands and does not seek any alteration of the prescribed procedure merely because a particular method may now appear convenient.

17.25. He submits that even the clarification of the General Secretary contemplated the Surf-Off only after the objective assessment and the prescribed tie-break mechanism had been considered. Therefore, the Petitioner cannot be compelled to accept the Surf-Off as a substitute for the tie-break mechanism when the latter has never been properly applied.

17.26. Learned Counsel further submits that the communication addressed by the SFI to the IOA itself demonstrates the difficulty in the Respondents' approach. Instead of stating that the prescribed tie-break mechanism would first be completed and, if necessary, a Surf-Off would thereafter be conducted, the communication proceeded directly to the



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proposal for a Surf-Off. According to him, this indicates that the Respondents had already decided upon the mechanism to be adopted without first completing the process mandated by the Selection Policy.

17.27. He submits that the Court need not determine whether the Petitioner or Respondent No.5 is the better surfer. The limited question is whether the selection has been made in accordance with the rules governing the selection. If the prescribed tie-break mechanism has not been applied, the ultimate selection cannot be sustained merely because the authorities consider Respondent No.5 to be a suitable athlete.

17.28. Learned Counsel therefore submits that the writ petition deserves to be allowed, and the Respondents ought to be directed to implement the tie-break mechanism contained in the Selection Policy, as clarified by the General Secretary, and thereafter take a consequential decision in accordance with the result of that exercise. The Petitioner, according to him, seeks no special treatment; he seeks only that the



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same rules which governed the selection process be applied to both competing athletes.

18. Heard Sri.P.N.Manmohan, learned Counsel for Sri.Vinay.N, learned counsel for the Petitioner, Sri.Keshav M.Datar, learned counsel for Respondent No.1, Sri.Abhilash.R, learned counsel for Respondent No.2, Sri.Snehil Balani, learned counsel for Respondent No.3 and Sri.Ajay J.Nandalike, learned counsel for Respondent No.4. Perused papers.
19. For the purpose of consideration, it is the Selection Policy which is of paramount importance. The Selection Policy in its entirety is reproduced hereunder for easy reference;

Asian Games Selection Policy

Written By Surfing Federation of India

Surfing Federation of India (SFI)

Selection Policy for the 20th Asian Games Aichi-Nagoya 2026

1. Purpose & Scope

This policy governs identification, trials, training, selection, replacement, and nomination of Indian surfers for the 20th Asian Games 2026. It applies to all athletes, coaches, officials, and selectors operating under SFI. The policy will be hosted on SFI's website and remains effective until the Asian Games 2026 delegation is finalized.

2. Legal & Regulatory Alignment

- *Selections and camps will comply with:*



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- *National Sports Development Code of India (2011) and subsequent directions.*
- *MYAS/SAI reforms on selection transparency.*
- *IOA/OCA entry protocols and event eligibility rules.*
- *Asian Games 2026 sport/age eligibility as notified.*
- *NADA/WADA anti-doping compliance.*

3. Events & Quotas

India has 2 athlete slots in Men's Open Shortboard and 2 athlete slots in Women's Open Shortboard at the Asian Games 2026.

SFI will select athletes only for events confirmed by ASF/AGOC/IOA and for which India holds quota/eligibility via ASF qualifiers.

4. Definitions

Ranking List: SFI National Ranking (Open Men/Women) as published on the SFI website.

Cut-off Date: 30 September 2025.

HPD: SFI High Performance Director.

Selection Committee (SC): Committee constituted under Section 10.5.

5. Selection Pathway (Modules & Timelines)

Module 1 - Eligibility Pool (Ranking Gate)

1. As of 30 September 2025, the Top-8 Men and Top-8 Women in SFI National Rankings (LiveHeats) form the Selection Pool.

2. Ties at #8 resolved by: (i) head-to-head in 2025 events, (ii) higher best single-event points, (iii) second-best single-event, (iv) coin toss in presence of SC and recorded on video.

3. Eligibility conditions: Indian passport, IOA/OCA eligibility, NADA compliance, signed agreements (Code of Conduct, Media/Name & Likeness, Data Processing consent, Anti-harassment & Safeguarding).



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Module 2 - Centralized 2-Day Assessment Camp (Top-8)

- *Conducted no later than 31 March 2026 at an SFI-approved venue.*
- *Mandatory attendance unless medically exempt.*
- *Components (all recorded on video/CCTV):*
 - *Performance heats (ISA/ASF/SFI scoring)*
 - *Technical drills*
 - *Physical testing*
 - *Psychological/HP screening*
 - *Compliance briefing.*
 - *Weightings published 30 days before camp. Indicative: Heats 50%, Tech 20%, Physical 15%, HP/Psych 10%, Compliance 5%.*
 - *Output: Objective composite scores; top performers progress.*
 - *The selection pool can be reduced under the discretion of the head coach and SFI selection committee.*

Module 3 - Reduction to Competition Squad + Bench

- *Based on Module-2 scores plus 2025 ranking points, SC reduces the squad by 30 April 2026 to the following numbers or lower as determined by the selection committee:*
 - *Top-3 Men + up to 2 bench athletes*
 - *Top-3 Women + up to 2 bench athletes*
- *Tie-breakers mirror Module-1.*
- *Minutes and scorecards shared (data masked).*

Module 4 - Team Camp & Qualification Alignment

- *The picked team (competition squad and bench athletes) trains under National*



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- *Coaches/HPD from November 2025-September 2026, including ASF qualifiers/required events.*
- *Continued selection conditional on: fitness, form, conduct, and compliance.*
- *Internal surf-offs may be conducted by 15 July 2026 if required.*

Module 5 - Final Nomination & Submission

- *Provisional names approved by SC and ratified by SFI EC by 20 July 2026.*
- *Final names submitted to IOA no later than 1 August 2026.*
- *Only 2 Men and 2 Women will be nominated to the Asian Games (as per quota). Bench athletes may be substituted in case of injury, withdrawal, or non-compliance before final submission.*
- *Selection Pool/Picked team (competition squad and bench athletes) trains under National Coaches/HPD from November 2025-September 2026, including ASF qualifiers/required events as per the modules.*

6. National Rankings (Feeder to Module-1)

- *SFI to publish the 2025 National Calendar & Points Matrix in advance.*
- *Event results will be posted within 7 days of conclusion.*

7. Objective Metrics & Data Handling

- *Judging/scoring aligned with ISA/ASF criteria.*
- *Trials recorded on video/CCTV; footage retained for 24 months.*
- *Athlete data stored securely; only aggregated results published.*

8. Medical, Injury & Fitness

Pre-camp and pre-nomination medical fitness certificates required.

Injury protocol:



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- *Before Module-3: one fitness re-test allowed.*
- *After Module-3: must regain fitness by 15 July 2026 or be replaced by a bench athlete.*
- *Therapeutic Use Exemptions must be lodged with NADA in advance.*

9. Conduct, Safeguarding & Anti-Doping

- *Athletes are bound by SFI Safeguarding and Harassment policies.*
- *Zero-tolerance for doping; any violation triggers immediate suspension.*

10. Governance: Selection Committee & Conflicts

- *Selection Committee: HPD (non-voting chair), 2 senior coaches, 1 athlete Representative, 1 external expert/judge, 1 legal/ethics observer (non-voting).*
- *Conflicts of interest must be disclosed.*
- *Minutes recorded and public summary posted within 7 days after decisions.*

11. Appeals Mechanism

- *Grounds: procedural irregularity, scoring error, undisclosed conflict.*
- *Appeals within 72 hours of contested decision.*
- *Appeals Panel: legal chair, independent HP expert, athlete rep.*
- *Remedies: confirm, re-tabulate, or re-trial specific segments.*

12. Replacement Policy

- *Athletes may be replaced with a bench athlete if: injury, doping violation, code breach, ineligibility, or withdrawal.*
- *Replacement decisions documented and video-announced.*



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13. Communication & Publishing

- *The announcement of the Selection policy shall be made on the official website of Surfing Federation of India before September 5th and any amendments subsequently will be on the website.*
- *Changes require dated addendum and notification to MYAS/SAI/IOA*

14. Financial & Logistics

Participation in camps/trials funded per ACTC/SAI approvals or SFI resources.

Any athlete co-pay will be published in advance.

15. Contingencies

- *If events are cancelled or ASF changes qualification, SFI may adjust weightings or add a replacement trial with 15-day notice.*
- *Trials may be extended for fair wave conditions; heat seeding via serpentine draw.*

16. Acceptance

- *All athletes entering Module-2 must sign acceptance of this policy, SFI jurisdiction for selections, internal appeals, and consent for video/data use.*

17. Policy Revisions & External Factors

SFI reserves the right to amend or update this selection policy to reflect changes in government regulations, international federation guidelines, IOA/OCA requirements, or unforeseen external circumstances. Any changes will be communicated with fair notice to athletes through the SFI website, official email, and athlete WhatsApp/communication groups.

signed by,



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Selection Committee Chairperson

Rammohan Paranjape

Addendum 1:

SURFING FEDERATION OF INDIA

*ADDENDUM TO THE ASIAN GAMES 2026 ATHLETE
SELECTION POLICY*

*Issued pursuant to IOA Communication dated 5th May
2026*

Effective Date: 16th May 2026

RECITALS

*WHEREAS the Surfing Federation of India (hereinafter
"SFI") has published an Asian Games 2026 Athlete
Selection Policy (hereinafter "the Selection Policy")
setting out the criteria and procedure for the selection
of athletes to represent India at the 2026 Asian Games;*

*AND WHEREAS the Indian Olympic Association
(hereinafter "IOA") has, via official communication
dated 5th May 2026, formally notified the SFI, inter
alia, of the following directives:*

*(i) That the Final List of athletes selected for
participation in the Asian Games is to be submitted to
the IOA no later than 10th June 2026;*

*(ii) That after 23rd June 2026, no changes to the
submitted list shall be accepted by the IOA without
supporting medical reason and documentary proof.*

*AND WHEREAS it is necessary to amend the Selection
Policy in order to align with the said IOA directives and
to give effect to the timelines communicated therein;*



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NOW, THEREFORE

In exercise of the authority vested in it, and in furtherance of the above, the SFI hereby issues this Addendum to the Selection Policy. Section 5 -Athlete Selection Policy shall stand Module 5 of the Asian Games 2026 amended and shall henceforth be read as follows:

SECTION 5 - MODULE 5: AMENDED PROVISIONS

1. The final list of 2 (two) male athletes and 2 (two) male reserves, and 2 (two) female athletes and 2 (two) female reserves, shall be submitted to the IOA no later than 5th June 2026.

2. Changes, if any, to the list of selected athletes or reserves shall be submitted to the IOA no later than 20th June 2026.

3. The selection of athletes shall be made on the basis of the following data and criteria, which are listed in no particular order of priority or weightage:

- *Rankings from the National Surf Series 2026 as on 1st June 2026, counting all competition results in 2026 with no drop-off events;*
- *Data and assessments from National Coaching Camps and Selection Camps conducted between 22nd September 2025 and 15th June 2026;*
- *Results and performance at international competitions during the relevant period, if any.*

SAVINGS AND CONFLICT

All other sections and provisions of the Selection Policy not expressly amended herein shall continue to remain in full force and effect and shall be read and construed in a manner consistent with the provisions of this Addendum.



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In the event of any conflict or inconsistency between any provision of the Selection Policy and this Addendum, the provisions of this Addendum shall prevail to the extent of such conflict.

*Arun Vasu
President, Surfing Federation of India
Chairperson, Selection Committee
TRUE COPY
Date: 16th May 2026*

20. The Points that would arise for Determination are:

- (i) Whether the present writ petition is maintainable and whether this Court can examine the legality of the selection process, notwithstanding that the names of the selected athletes have already been forwarded to the Indian Olympic Association and the subsequent authorities?**
- (ii) Whether the fresh selection process complied with the SFI Selection Policy and the directions of the Appeals Panel dated 16.06.2026, including consideration of the relevant international performances from 01.01.2025 onwards?**
- (iii) Whether the Special Selection Committee was justified in recommending a Surf-Off without first completing the prescribed tie-break process, particularly in view of the clarification issued by the General Secretary of the SFI?**



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(iv) **Whether the Executive Council of the SFI had the power to independently select Respondent No.5 when the Special Selection Committee had failed to arrive at a decision?**

(v) **Whether the impugned selection of Respondent No.5 and consequential placement of the Petitioner as first reserve are liable to be quashed, and, if so, what relief should follow?**

(vi) **What order?**

21. This Court answers the above points as follows:

22. **Answer to Point No.1: Whether the present writ petition is maintainable and whether this Court can examine the legality of the selection process, notwithstanding that the names of the selected athletes have already been forwarded to the Indian Olympic Association and the subsequent authorities?**

22.1. Sri.P.N.Manmohan, learned counsel for the Petitioner, did not, in his main submissions, treat maintainability as a separate or freestanding controversy. His principal case, developed at length, was that the selection of Respondent No.5 as the second confirmed athlete and the consequent placement of the Petitioner as the first reserve athlete was reached by departing from the SFI's own Selection Policy and from the directions of the



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Appeals Panel dated 16.06.2026. The question of maintainability arose because the Respondents, principally the SFI and the Indian Olympic Association, sought to meet this challenge on the threshold, by contending that the writ petition had become infructuous once the names were forwarded. It is this objection that learned counsel for the Petitioner answered in his reply.

22.2. Learned counsel submitted that the Respondents cannot seek to avoid judicial scrutiny merely on the ground that the selection process has been completed or that the names have already been forwarded to the Indian Olympic Association. For this proposition, he relied on the judgment of the Hon'ble High Court of Delhi in ***Manjeet v. IOA*** [W.P.(C) No.936/2026 in CM Appeal.4593 of 2026], more particularly paragraphs 33, 45, 50, 51, 53, 54, 56, 57, 58 and 59 thereof.

22.3. He drew attention to paragraph 45 of ***Manjeet***, where the Hon'ble High Court of Delhi observed that selection to represent the country at a major international event *"is not an internal*



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administrative exercise; it is a matter of national representation" and that the concerned authorities *"cannot start acting as a Super Selector and go beyond the four corners of its authority"* (Paragraph 45). Learned counsel submitted that this reasoning applies equally where a National Sports Federation forwards names to the Indian Olympic Association and treats that act of forwarding as placing the matter beyond judicial reach.

22.4. He further relied on paragraph 51 of ***Manjeet***, where the Respondents in that case had also taken the stand that the petition had become infructuous because the last date for forwarding names had passed, and on paragraphs 56 to 59, where the Hon'ble High Court of Delhi nevertheless went on to hold the selection process to be arbitrary and granted consequential directions notwithstanding that the process had culminated and consequential arrangements had already been acted upon (Paragraph 57). Learned counsel submitted that the forwarding of names, by itself, therefore cannot create a *fait accompli* that defeats the jurisdiction of this Court, and that if the



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underlying selection is arbitrary or contrary to the governing rules, the consequential steps already taken cannot be relied upon to shut out relief.

22.5. Learned counsel accordingly submitted that the writ petition is maintainable in its entirety, that this Court is entitled to examine the legality of the fresh selection process, the manner in which the tie between the Petitioner and Respondent No.5 was sought to be resolved, and the propriety of the Executive Council's intervention, regardless of the fact that the SFI communicated the names on 23.06.2026 and that the Sports Authority of India and the Indian Olympic Association have since forwarded those names further.

22.6. Sri Ajay J. Nandalike, learned counsel for the SFI (Respondent No.4), submitted that the writ petition has become infructuous. He pointed out that the last date for entry by name for the Asian Games was 01.07.2026, that this had been extended only to 06.07.2026, that the SFI accordingly proceeded to forward the names on 23.06.2026 once no response was received to



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its communication of 22.06.2026, and that the selection process must now be treated as complete.

22.7. On the question of law, learned counsel relied on the decision of the Hon'ble High Court of Delhi in **Anush Agarwalla v. Ad-hoc Committee for Governance of Equestrian Federation of India** [LPA 458/2026 dated 06.07.2026], more particularly paragraph 56 thereof, where it was observed that, having regard to an impending deadline, it would be *"logistically impracticable to conduct a further competition within the time available, particularly since the riders and horses are located at different places across the globe"* (Paragraph 56). He submitted that the present proceedings must be considered in like manner, that the names having already been forwarded and the prescribed deadline having elapsed, no effective relief can now be granted, and the petition has consequently become infructuous.

22.8. Learned counsel further submitted that the decision in **Anush Agarwalla** was carried in appeal to the Hon'ble Supreme Court in SLP



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No.22940/2026, and that although notice was issued, no interim relief was granted so as to disturb the selection under challenge in that case. He submitted that this circumstance too requires judicial restraint where the sporting event is imminent and the selection process has already progressed, and, on this cumulative footing, submitted that the writ petition ought to be dismissed as not maintainable in its present form.

22.9. Sri.Snehil Balani, learned counsel for the Indian Olympic Association (Respondent No.3), submitted that Respondent No.3 has nothing to do with the merits of the selection; it merely receives the recommendation made by the National Federation and forwards it to the Asian Olympic Association, who in turn uploads the names onto its portal. He submitted that the list of selected candidates has already been received by the Indian Olympic Association, forwarded to the Asian Olympic Association, and uploaded, and that "*no further order can be passed*" once this has occurred. On the calendar of events, he pointed out that the last date was 01.07.2026, extended to 06.07.2026,



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and that this extension was communicated to the Indian Olympic Association only on 05.07.2026, leaving no time to consider any other method of resolving the deadlock. On a specific query from the Court as to whether the procedure prescribed by the Selection Policy had, in fact, been followed by the SFI, learned counsel fairly stated that he had no instructions on that aspect.

22.10. Sri.Abhilash R., learned counsel for the Sports Authority of India (Respondent No.2), adopted a similar position, submitting that the Sports Authority of India has nothing to do with the selection of any athlete, the entire exercise being at the discretion of the SFI.

22.11. Sri.Keshav M. Datar, learned counsel for the Union of India (Respondent No.1), likewise submitted that the Union of India has nothing to do with the selection criteria. On being asked whether Respondent No.1 had a view on whether the SFI had followed the procedure prescribed under the Selection Policy, he too stated that he had no instructions in that regard.



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22.12. This Point requires this Court to decide two closely connected things before it can even begin to look at whether the selection itself was fairly and lawfully made. The first is whether a writ petition of this kind, directed against the decision of a National Sports Federation and the consequential action of the Indian Olympic Association and the Sports Authority of India, is maintainable at all. The second, and the one on which the entire argument before this Court in fact turned, is whether the circumstance that the names have already left the SFI's hands, travelled to the Indian Olympic Association, and from there to the Asian Olympic Association, takes away this Court's power to go into the legality of what happened before that forwarding took place.

22.13. On the first of these two questions, it deserves to be recorded plainly that none of the Respondents, including the SFI, the Sports Authority of India, the Indian Olympic Association or the Union of India, disputed that the SFI is a National Sports Federation recognised by the Ministry of Youth Affairs and Sports and is, in that capacity, amenable to the



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writ jurisdiction of this Court under Article 226 of the Constitution of India when it performs a public function such as selecting athletes to represent the country. No submission was advanced by the Respondents on this Point questioning the amenability of the SFI, the Sports Authority of India or the Indian Olympic Association to this Court's jurisdiction as such. That being so, this Court does not consider it necessary, and indeed it would not be appropriate, to examine an objection that nobody actually raised. This Court confines itself to the objection that was in truth pressed, namely, that the petition has outlived its purpose because the selection process has run its course.

22.14. That objection deserves to be examined with some care because it is capable of looking more formidable than it really is. The argument, reduced to its essentials, runs as follows: the SFI took its decision on 23.06.2026, forwarded the names, the Sports Authority of India and the Indian Olympic Association have carried that decision further, the Asian Olympic Association has uploaded the names, and the



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deadline for any change has since passed. Once all of this has happened, so the argument goes, there is nothing left for this Court to examine because whatever this Court says will arrive too late to make any difference.

22.15. There is an obvious difficulty with an argument of this kind, and it is one that this Court cannot allow to pass unaddressed. If the mere passage of time and the mere onward transmission of a decision by administrative authorities were enough to close the door on judicial scrutiny, then a selecting authority would only have to move quickly enough, and forward its decision promptly enough, to place its decision permanently beyond the reach of Article 226. An authority that acts lawfully has nothing to fear from scrutiny, however late it comes. It is an authority that has not followed its own rules that has the greatest interest in urging that the matter has become academic. To accept the argument at face value, without testing it, would hand precisely such an authority a shield that the Constitution never intended it to have.



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22.16. This is not a new problem, and it is not one that this Court has to resolve without guidance. Learned counsel for the Petitioner placed strong reliance on the judgment of the Hon'ble High Court of Delhi in ***Manjeet v. Indian Olympic Association (IOA) and Ors.***, a case that arose in materially similar circumstances, where the selection in question concerned representation of the country at the Olympic Games and the Respondents there too contended that the challenge had become infructuous because the deadline for forwarding the list of athletes had already expired.

22.17. At paragraph 51 of ***Manjeet***, the Hon'ble High Court of Delhi recorded the submission of the Respondents in that case that *"the relief sought in the present petition has become infructuous on the ground that the last date for forwarding the list of athletes was 26.01.2026"* (Paragraph 51), a submission that mirrors, almost word for word, what has been urged before this Court by the SFI and the Indian Olympic Association. Despite that submission, the Hon'ble High Court of Delhi proceeded to examine the merits of the challenge, and at paragraph 56 held that *"the*



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selection process is manifestly arbitrary and unfair, and Respondent Nos. 1 and 2 have failed in their duty as the Supervisory body" and allowed the relevant prayers (Paragraph 56). At paragraph 57, the Hon'ble High Court of Delhi went further and directed the Indian Olympic Association there to make all reasonable efforts to enable the Petitioner to participate in the event, notwithstanding that *"the impugned selection process has culminated and that consequential arrangements have already been acted upon"* (Paragraph 57).

22.18. The principle that emerges from these paragraphs, and it is one this Court respectfully adopts for the purposes of the present case, is a simple one, even though its consequences are significant: the completion of a selection process and the onward transmission of its result do not, without more, close the door to judicial examination of whether that process was lawfully conducted. What is placed beyond challenge, ordinarily, is a decision that survives examination on the merits, not a decision that has merely acquired a further layer of



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administrative endorsement. A downstream authority that receives a name and passes it on cannot, by that act of transmission, cure whatever illegality attached to the decision at its source. If it were otherwise, the more efficiently and rapidly an authority forwarded a flawed decision, the more completely it would insulate itself from correction, and diligence in wrongdoing would be rewarded over slowness in doing right. That cannot be the law, and this Court does not understand Manjeet to say anything different. This Court accordingly applies the principle in **Manjeet** and holds that it directly answers, and defeats, the infructuousness objection raised by the SFI and the Indian Olympic Association.

22.19. It is necessary to deal separately with the submission of Sri Ajay J. Nandalike founded on the decision of the Hon'ble High Court of Delhi in **Anush Agarwalla v. Ad-hoc Committee for Governance of Equestrian Federation of India**. The paragraph relied upon, paragraph 56, records the finding that it would be *"logistically impracticable to conduct a further competition within the time available,*



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particularly since the riders and horses are located at different places across the globe" (Paragraph 56). Read in its own setting, this observation is concerned with something quite different from the question this Court is presently considering. It answers the question of what relief could practically be granted once a certain finding on the merits had already been reached; it does not answer, and was never addressing, the anterior question of whether the writ court had the power to examine the legality of the selection at all. A finding about the practical workability of a particular remedy, such as directing a fresh trial at very short notice with participants scattered across the globe, is not authority for the wholly different proposition that a completed and forwarded selection is immune from scrutiny in the first place.

22.20. Nor can this Court accept the submission that the pendency of Special Leave Petition No.22940/2026 against **Anush Agarwalla**, in which notice was issued by the Hon'ble Supreme Court but no interim relief was granted, has any material bearing on the



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present controversy. The refusal or absence of interim relief at the threshold of a pending appeal is not, and has never been treated as, an expression of opinion on the merits of the challenge, still less a decision applicable to a separate and factually distinct dispute concerning a different sport, a different federation and a different set of facts.

22.21. Equally, this Court is unable to accept the submission of Sri Snehil Balani that once the list of athletes has been received by the Indian Olympic Association and forwarded to, and uploaded by, the Asian Olympic Association, "*no further order can be passed*". Respondent No.3 himself, informed this Court that he had no instructions as to whether the SFI had, in fact, followed the procedure prescribed under its own Selection Policy. It would be a curious position in law if an authority that admits it cannot vouch for the legality of what it transmitted could, by the very act of transmission, place the matter beyond the reach of the Court. The submission, if accepted, would mean that the more layers of onward forwarding a flawed decision accumulates, the



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more completely immune it becomes; however, the transmitting authorities may hedge on the question of legality. This Court does not accept that submission as correctly stating the law, for the reasons already given while dealing with ***Manjeet***. Whether, and to what extent, a direction can still be given to the Indian Olympic Association or the Asian Olympic Association in these circumstances is a matter this Court will address lateron.

22.22. As regards the Sports Authority of India and the Union of India, both learned counsel appearing for them disclaimed any role in the selection itself and stated that they had no instructions on whether the SFI's Selection Policy had been followed.

22.23. It is also necessary to notice, for completeness, that the Addendum to the Selection Policy dated 16.05.2026, which is part of the material placed before this Court and reproduced earlier in this order, itself required the final list to be submitted to the Indian Olympic Association "no later than 5th June 2026" and permitted changes to that list only "no later than 20th



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June 2026". The impugned decision of the SFI is dated 23.06.2026, which is after even this extended cut-off date contemplated by the Addendum. This is not a ground independently pleaded by the Petitioner, and this Court does not decide the case on that basis, since a writ court confines itself to the grounds actually raised and does not go looking for fresh ones. It is noticed here only because it undercuts, on the Respondents' own documents, the suggestion that the selection process had achieved a settled finality by 23.06.2026 such that judicial scrutiny would serve no purpose; if anything, the timeline on record shows a selection process that was itself running behind the very schedule the SFI had set for it, which makes it more, not less, appropriate that the legality of what was done be examined on its merits.

22.24. For all these reasons, this Court holds that the writ petition is maintainable, and that the fact that the names of the selected athletes have been forwarded to the Indian Olympic Association, and by it further transmitted to the Asian Olympic Association, does not stand in



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the way of this Court examining the legality of the selection process that preceded that transmission. This Court is conscious, and will remain conscious through the remaining Points, that the imminence of the Asian Games and the advanced stage the process has reached are real and relevant considerations, but they bear upon the nature of the relief that can appropriately be granted, and not upon the threshold question of whether this Court may examine the matter at all.

22.25. This Court answers point No.1 by holding that the writ petition is maintainable and this Court has the power to examine the legality of the selection process notwithstanding the forwarding of names to the Indian Olympic Association and the subsequent authorities.

23. **Answer to Point No.2: Whether the fresh selection process complied with the SFI Selection Policy and the directions of the Appeals Panel dated 16.06.2026, including consideration of the relevant international performances from 01.01.2025 onwards?**

23.1. Learned counsel for the Petitioner, Sri.P.N.Manmohan, submitted that the controversy must be understood against the



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background of the earlier, first selection process, which was set aside by the Appeals Panel. That Committee, according to learned counsel, had eight members, all of whom voted, although Clause 10 of the Selection Policy contemplated a specifically structured Committee consisting of the High Performance Director as a non-voting chair, two senior coaches, one athlete representative, one external expert or judge, and one legal or ethics observer who too was non-voting. Learned counsel took this Court through Clause 10, which reads thus:

"10. Governance: Selection Committee & Conflicts

Selection Committee: HPD (non-voting chair), 2 senior coaches, 1 athlete representative, 1 external expert/judge, 1 legal/ethics observer (non-voting).

Conflicts of interest must be disclosed.

Minutes recorded and public summary posted within 7 days after decisions."

23.2. In plain terms, this clause tells the SFI who may sit on a Selection Committee and in what capacity. Of the six persons contemplated, only four have a vote: the two senior coaches, the athlete representative and the external expert or judge; the Chair and the legal or ethics



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observer sit but do not vote. The clause also obliges disclosure of conflicts and prompt publication of minutes.

23.3. Learned counsel for the Petitioner submitted that the earlier Committee, being differently and more widely constituted, did not answer this description, and that this was why the Appeals Panel treated the defect as one going to the identity of the decision-maker itself, and not a mere error of appreciation.

23.4. Learned counsel for the Petitioner submitted that the remand by the Appeals Panel was not an unrestricted or open-ended one. According to him, the Appeals Panel specifically held that the relevant period for assessment could not be confined to events from September 2025 onwards, and directed that all international events from 01.01.2025 be taken into account. It further considered the MYAS Directive dated 24.09.2025 and treated performance at the Asian Surfing Championship, 2025, including a prescribed benchmark, as an important, though not numerically weighted, consideration, such that any departure from that benchmark would



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call for detailed and cogent reasons. Since the Petitioner had secured a Bronze Medal at that very Championship, learned counsel submitted that this direction was of particular and direct relevance to the Petitioner's case.

23.5. Learned counsel for the Petitioner next took the Court through Clause 5 of the Selection Policy, which he described as containing the entire selection pathway and the tie-break mechanism, and which he submitted was central to the dispute. The relevant parts of that clause read thus:

"5. Selection Pathway (Modules & Timelines)

Module 1 - Eligibility Pool (Ranking Gate)

1. As of 30 September 2025, the Top-8 Men and Top-8 Women in SFI National Rankings (LiveHeats) form the Selection Pool.

2. Ties at #8 resolved by: (i) head-to-head in 2025 events, (ii) higher best single-event points, (iii) second-best single-event, (iv) coin toss in presence of SC and recorded on video.

...

Module 3 - Reduction to Competition Squad + Bench

Based on Module-2 scores plus 2025 ranking points, SC reduces the squad by 30 April 2026 to the following numbers or lower as determined by the selection committee: Top-3 Men + up to 2 bench athletes; Top-3



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Women + up to 2 bench athletes. Tie-breakers mirror Module-1. Minutes and scorecards shared (data masked).

Module 4 - Team Camp & Qualification Alignment

... Internal surf-offs may be conducted by 15 July 2026 if required.

Module 5 - Final Nomination & Submission

Provisional names approved by SC and ratified by SFI EC by 20 July 2026. Final names submitted to IOA no later than 1 August 2026. Only 2 Men and 2 Women will be nominated to the Asian Games (as per quota)."

- 23.6. On the strength of this clause, learned counsel for the Petitioner submitted that the Policy is built in stages, moving from an objectively determined pool, through an assessment camp with published weightings, to a reduction of the squad using a tie-break sequence that "*mirrors*" the one used at the pool stage, and only then to team training and final nomination. The tie-break sequence, he emphasised, is not left to unstructured discretion at any stage; it proceeds through head-to-head comparison, then best single-event results, then second-best single-event results, before any question of a coin toss, or, as adapted by the General Secretary's clarification for the present dispute, a Surf-Off, could even arise.



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23.7. Learned counsel for the Petitioner submitted that pursuant to the Appeals Panel's decision, the Special Selection Committee unanimously selected Mr.Kishore Kumar and Mr.Srikanth D, but could not agree on whether the Petitioner or Respondent No.5 should occupy the second confirmed position, recording instead that a tie existed between them. He submitted that this tie did not hand the Committee a free hand to invent a fresh method of selection; the Policy already supplied the method, and the General Secretary's clarification of 21.06.2026, in identifying a four-step sequence beginning with objective comparison of performance data (with the Asian Championship expressly named as an important input), moving to the Policy's own tie-break sequence, and only then to an internal Surf-Off and, failing that, escalation to MYAS or the Sports Authority of India, confirmed rather than displaced this structure.

23.8. Learned counsel for the Petitioner submitted that the Committee's own proceedings of 21.06.2026 show that this sequence was never completed. The members continued to disagree over how "*head-to-head*" comparison should be



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understood and over how to average percentile scores where the athletes had competed in unequal numbers of events, and no consensus was reached on either question before the discussion moved to the possibility of a Surf-Off. He submitted that a disagreement over how to apply a rule is not a licence to abandon the rule; if the Committee found the criteria genuinely difficult to apply, its remedy lay in recording reasons or seeking clarification from the competent authority, not in substituting an altogether different mechanism.

23.9. On the specific question of the Petitioner's Bronze Medal, learned counsel for the Petitioner submitted that the Committee itself acknowledged the importance of the Asian Championship performance, yet did not explain how that performance was actually weighed against Respondent No.5's record. He drew a distinction between the Appeals Panel's conscious decision not to prescribe a fixed numerical weight for that performance, and the wholly different proposition that the performance could therefore be disregarded; the clarification of 21.06.2026, he pointed out,



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itself treated the Championship as "*an important objective input*," which is inconsistent with treating it as marginal or immaterial. He also referred to the Comprehensive Analytical Report placed before the Committee, which contained extensive comparative data, including international and national results, rankings, percentile analysis, and heat-win statistics, and submitted that the presence of this material in the Committee's papers did not, by itself, show that the material was actually applied to the two athletes in the manner the Appeals Panel had directed.

23.10. Learned counsel for the Petitioner submitted that the eventual vote of the Special Selection Committee, two members in favour of the Petitioner and two in favour of Respondent No.5, reflected an equally divided Committee that had not exhausted the prescribed sequence, and that this state of affairs was further complicated when Ms.Nitisha Sethia, having expressed reservations about the methodology, including the treatment of the Asian Championship performance, exited the meeting, after which the remaining members



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proceeded to consider a Surf-Off without pausing to address the consequences of her exit for the Committee's composition.

23.11. Learned counsel for the Petitioner further relied on the SFI's own communication dated 22.06.2026, which, at what he described as its paragraph 10, stated that the Petitioner's Bronze Medal had been considered but was "*not determinative*," and, at paragraph 11, referred to what he called the "*Relaxation Clause*" in the MYAS Directive of 24.09.2025 and sought the Ministry's concurrence to it. He submitted that this reference itself gave away that the Federation understood the final selection to involve a departure from the Asian Championship benchmark, a departure that, on the Appeals Panel's own terms, required detailed and substantial reasons, reasons which, according to learned counsel, are conspicuous by their absence from the record.

23.12. On the question of urgency, learned counsel for the Petitioner submitted that the Policy itself permitted an internal Surf-Off as late as 15.07.2026, so that the SFI's own document



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did not treat the timeline as requiring the tie-break sequence to be bypassed as early as 21.06.2026, and that, in any event, an administrative deadline cannot enlarge the Selection Committee's or the Executive Council's authority or excuse departure from the prescribed procedure.

23.13. In reply, learned counsel for the Petitioner relied additionally on the judgment of the Hon'ble High Court of Delhi in ***Manjeet v. Indian Olympic Association (IOA) and Ors.***, more particularly paragraph 45 thereof, where it was observed that a sports body *"cannot start acting as a Super Selector and go beyond the four corners of its authority and create criteria for selection which do not exist in the Qualification System which is binding upon the Respondents"* (Paragraph 45), and paragraph 50, where the Court found that *"athletes were assessed and excluded on the basis of conditions ... which do not find mention in"* the governing document (Paragraph 50). Learned counsel submitted that the same vice infects the present case: the SFI framed Clause 5 and the tie-break sequence, the Appeals



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Panel gave specific and pointed directions on what was to be considered, and the SFI could not depart from that self-created and Appeals-Panel-endorsed framework, whether by omission, by a different sequence, or by relegating the Bronze Medal to an unexplained residual factor.

23.14. Sri.Ajay J. Nandalike, learned counsel for the SFI, submitted that selection in sport cannot be reduced to a single criterion or a single performance, and that the Selection Committee is entitled to weigh an athlete's overall record, including consistency of ranking over several years, alongside more recent results. He placed before the Court a year-wise comparison, according to which the Petitioner was ranked second nationally in 2022 and 2023, first in 2024, and fourth in both 2025 and 2026, while Respondent No.5 improved steadily from twelfth in 2022 to fourth in 2023, sixth in 2024, second in 2025, and joint first (with Mr.Kishore Kumar) in 2026. Learned counsel for SFI submitted that this trajectory, showing Respondent No.5 overtaking the Petitioner by the time of selection, was a legitimate and



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relevant basis for the Committee's eventual assessment.

23.15. On the Bronze Medal, learned counsel submitted that it was taken into account but was not treated as conclusive, since the Appeals Panel itself had declined to prescribe a fixed numerical weight for it; the absence of a specific mathematical advantage flowing from the medal could not, therefore, by itself invalidate the ultimate selection, so long as the overall record, which the SFI's case is that it was, had been considered.

23.16. On the views expressed by Ms. Nitisha Sethia, learned counsel submitted that she was associated with Surf Kerala, the same state body with which the Petitioner is connected, and that her reservations, followed by her exit from the meeting, could not by themselves be treated as conclusive proof of unfairness or as establishing that the Petitioner ought to have been selected.

23.17. As regards the General Secretary's clarification of 21.06.2026, learned counsel submitted that it did not itself select either athlete and did not



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bind the Committee to a rigid, non-negotiable order of steps; it merely set out possible courses open to the Committee, whose members remained free to arrive at their own decision on the material before them.

23.18. Learned counsel emphasised that both the earlier Selection Committee and the Special Selection Committee arrived at broadly similar assessments of the relative standing of the two athletes, which, according to him, is a relevant circumstance lending support to the eventual selection. He also drew attention to the SFI's continuing willingness to conduct a Surf-Off, under an independent panel of international judges, as a transparent means of resolving the deadlock.

23.19. On the law, learned counsel for the SFI relied on the decision of the Hon'ble High Court of Delhi in ***Swastika Ghosh v. Table Tennis Federation of India*** [2022 SCC Online Del 1817], more particularly paragraphs 12 to 18 thereof. At paragraph 12, the Hon'ble High Court of Delhi observed that *"the power of judicial review in the matters relating to sports*



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can be exercised only if there is an allegation of bad faith. In such matters, the courts should give great credence to the decision of the Expert Committee and the coaches" (Paragraph 12), and referred with approval to the observations of the Hon'ble Supreme Court in **State of U.P. v. Johri Mal**, [(2004) 4 SCC 714], that judicial review "*is not intended to assume a supervisory role or don the robes of omnipresent ... an order passed by an administrative authority exercising discretion vested in it, cannot be interfered in judicial review unless it is shown that exercise of discretion itself is perverse or illegal*" (Paragraph 12). At paragraph 13, **Swastika Ghosh** extracted the observations in **Shumel v. Union of India** [2010 SCC OnLine Del 4706], that "*how the relative merits of the different candidates should be evaluated is not a matter for this Court to decide. That is best left to the experts in a particular field of sport*" (Paragraph 13). At paragraph 14, it extracted **Sushil Kumar v. Union of India**, [2016 SCC OnLine Del 3660], and **Karamjyoti v. Union of India** [2016 SCC OnLine Del 6766], to the



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effect that a writ court will not interfere with the discretion of a National Sports Federation *"except where discretion is shown to have been exercised in an arbitrary or capricious or perverse manner or is contrary to settled principles of practices"* (Paragraph 14). At paragraph 15, it extracted ***Paralympic Committee of India v. Naresh Kumar Sharma*** [2018 SCC OnLine Del 8443], which in turn held that a court must *"resist adopting a one-size-fits-all approach"* and that *"any one single performance at one competition or trial cannot be used as a barometer"* for selection (Paragraph 15), while cautioning that interference remains available where there is *"manifest arbitrariness or mala fides"* (Paragraph 15). Learned counsel submitted that these paragraphs, taken together, confine judicial review in athlete-selection matters to cases of bad faith, arbitrariness, perversity or illegality, and that the present case discloses none of these, since the Committee weighed multiple legitimate factors, including ranking trends over several seasons, and arrived at a decision within the range reasonably open to it.



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23.20. This Point calls upon this Court to examine whether the fresh selection exercise, undertaken after the Appeals Panel set aside the earlier selection, actually followed the framework the SFI had itself laid down in Clause 5 of the Selection Policy, and gave the Appeals Panel's specific directions the weight and the answer that those directions demanded. It is necessary to be clear at the outset about what this Court is, and is not, being asked to do. The Petitioner does not ask this Court to decide, as between himself and Respondent No.5, who is the better surfer. That question, on the material before this Court and consistent with the limits of writ jurisdiction, is not one this Court is equipped, or entitled, to answer. What the Petitioner does ask, and what this Court is both equipped and obliged to answer, is the narrower and more familiar question of whether the body entrusted with making that comparison actually followed the rules it had set for itself, and gave the directions issued to it on remand real, and not merely nominal, effect.



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23.21. It is convenient to begin with the extent of the remand made by the Appeals Panel on 16.06.2026. The Appeals Panel did three specific things: it required the relevant period for comparison to run from 01.01.2025 rather than from September 2025; it required all international events within that period to be considered, expressly bringing the Asian Surfing Championship, 2025 within the assessment; and it held that, while no fixed numerical weight needed to be assigned to performance at that Championship, any departure from the benchmark recognised in the MYAS Directive of 24.09.2025 would require detailed and cogent reasons.

23.22. Read together, Clause 5 of the Selection Policy, extracted above, describes a staged process. Module 1 forms a Selection Pool from national rankings as of a cut-off date, with an internal tie-break sequence of its own for the borderline eighth position. Module 2 is a centralised assessment camp with published weightings across heats, technical drills, physical testing, psychological screening and compliance, producing an objective composite score. Module



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23.23.3 reduces the pool to a competition squad and bench "*based on Module-2 scores plus 2025 ranking points,*" with tie-breakers that "*mirror Module-1.*" Module 4 permits internal Surf-Offs "*if required,*" by a stated date namely 15.07.2026. Module 5 requires provisional names to be "*approved by SC and ratified by SFI EC.*" Put simply, the Policy tells the Committee to build its decision on a sequence of increasingly narrow, objectively measured filters, with the Surf-Off appearing only as a later, conditional tool, and it tells the Executive Council that its role at the end of the process is to ratify, not to originate, the Committee's selection.

23.24. Turning to what the Special Selection Committee in fact did: it is not in dispute, and indeed it is common ground between the Petitioner and the SFI, that the Committee unanimously selected Mr.Kishore Kumar and Mr.Srikanth.D for the first confirmed and second reserved positions respectively, and that it could not agree, whether unanimously or by majority, on whether the Petitioner or Respondent No.5 should occupy the second



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confirmed position. It is equally common ground that the Committee's meeting of 21.06.2026 ended with an equally divided vote, two members favouring the Petitioner and two favouring Respondent No.5, following which Ms Nitisha Sethia exited after raising objections to the methodology being followed.

23.25. What is genuinely in dispute between the parties is not any of these primary facts but their legal consequence: whether, in reaching this state of deadlock, the Committee gave the Petitioner's Bronze Medal at the Asian Surfing Championship, 2025, the consideration the Appeals Panel required, and whether it did so through a process that can be said to conform to the sequence set out in the Policy and reinforced in the General Secretary's clarification. This is a question this Court can and must decide on the material before it; it does not require this Court to weigh, as between the Petitioner and Respondent No.5, whose overall surfing ability is superior, and to that extent it is well within, rather than beyond, the limits of writ jurisdiction.



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23.26. The SFI's own communication of 22.06.2026 states that the Bronze Medal was considered but was "*not determinative*," and, in the very next breath, invokes the "*Relaxation Clause*" of the MYAS Directive and seeks the Ministry's concurrence to its use. It is difficult to reconcile a submission that a factor was given due weight with a simultaneous submission that a relaxation was needed to depart from the benchmark that factor was meant to satisfy; an athlete cannot, in the same document, be said to have had his qualifying achievement properly weighed and, at the same time, to have been the subject of a request for relaxation from the benchmark based on that very achievement, unless the relaxation itself is explained. The invocation of the Relaxation Clause itself indicates it to be an acknowledgment that the final outcome did depart from the Asian Championship benchmark that the Appeals Panel had specifically flagged.

23.27. That, however, does not by itself end the matter because the Appeals Panel did not say that the benchmark could never be departed from; it said only that a departure required



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detailed and cogent reasons. The question this Court must therefore answer is a narrower one still: has the SFI shown this Court where, in the record of the Special Selection Committee's deliberations, such detailed and cogent reasons were actually recorded for preferring Respondent No.5's overall ranking trajectory over the Petitioner's Asian Championship performance? On the material placed before this Court, the answer is that no such reasoned account has been shown to exist. What has been placed before the Court is the Comprehensive Analytical Report containing extensive comparative data, and the year-wise national ranking table showing Respondent No.5 overtaking the Petitioner between 2024 and 2026. The existence of that data is not disputed. What is missing is any recorded explanation, from the Special Selection Committee itself, of how that data was weighed against the Bronze Medal, and why the ranking trend was treated as outweighing the Championship performance that the Appeals Panel had gone out of its way to bring within the assessment. A committee that has a mass



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of comparative data before it has not, for that reason alone, applied its mind to the specific factor it was directed to weigh; the material has to be shown to have been considered and recorded in minutes, precisely what Clause 10 of the Policy itself requires when it speaks of minutes being recorded and a public summary being posted.

23.28. This Court does not accept the SFI's submission that the absence of a fixed numerical weight for the Bronze Medal is a sufficient answer to this difficulty. Learned counsel for the Petitioner is correct that there is a real distinction between declining to prescribe a rigid formula for a factor, which the Appeals Panel expressly did, and permitting that factor to be considered without any visible weight at all, which the Appeals Panel did not sanction and indeed guarded against by requiring reasons for departure.

23.29. The General Secretary's own clarification of 21.06.2026, which named the Asian Championship as "*an important objective input*" at the very first step of the sequence he



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outlined, reinforces rather than undermines this reading. An input that is important at Step 1 of a sequence does not become unimportant merely because the Committee, at a later and disputed stage, found it easier to talk about overall ranking trends instead.

23.30. It is at this point that the submissions built upon **Swastika Ghosh** require careful application. This Court readily accepts the principle for which that decision, together with the authorities it draws upon, stands: that a writ court does not sit as a court of appeal over the comparative sporting assessment made by an expert body, that such assessment is "*best left to the experts in a particular field of sport*" as held in **Shumel v. Union of India** [2010 SCC OnLine Del 4706] (Paragraph 13, as extracted in **Swastika Ghosh**, Paragraph 13), that interference is confined to cases where discretion "*is shown to have been exercised in an arbitrary or capricious or perverse manner or is contrary to settled principles of practices,*" as held in **Sushil Kumar v. Union of India** [2016 SCC OnLine Del 3660] and followed in **Karamjyoti v. Union of India** [2016 SCC



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OnLine Del 6766] (Paragraph 14, as extracted in ***Swastika Ghosh***, Paragraph 14), and that a court must "*resist adopting a one-size-fits-all approach*" since "*any one single performance at one competition or trial cannot be used as a barometer,*" as held in ***Paralympic Committee of India v. Naresh Kumar Sharma*** [2018 SCC OnLine Del 8443] (Paragraph 15, as extracted in ***Swastika Ghosh***, Paragraph 15).

23.31. None of this, however, answers the question actually before this Court. This is not a case in which the Petitioner asks the Court to re-weigh his surfing ability against that of Respondent No.5, using the Court's own sense of what should matter more, a ranking trend or a Championship medal. It is a case in which the Petitioner says that the Committee was told, by a body superior to it in the Policy's own appellate hierarchy, that a particular factor required consideration and that any departure from it required reasons, and that no such reasons appear on the record. That is precisely the kind of complaint that even ***Swastika Ghosh***, through its own reliance on ***Johri Mal***,



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recognises as remaining open, since interference is permitted where the exercise of discretion is shown to be "*perverse or illegal*" (Paragraph 12, as extracted in ***Swastika Ghosh***). A decision that departs from a specifically directed benchmark without recording the reasons that very direction required is not a decision this Court is asked to re-assess on sporting merit; it is a decision this Court is entitled to test for compliance with a plainly applicable procedural safeguard, and on that test, for the reasons already given, it does not pass. This Court accordingly applies the general principle of restraint drawn from ***Swastika Ghosh***, but distinguishes its application to the present, narrower complaint, which lies within, and not outside, the zone the Hon'ble High Court of Delhi itself left open for correction.

23.32. The reliance placed on the decisions of the Hon'ble High Court of Delhi in ***Manjeet v. Indian Olympic Association (IOA) and Ors.***, [W.P.(C) No.936/2026 in CM Appeal.4593 of 2026] by learned counsel for the Petitioner is applicable, though the case must be applied



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with some care rather than treated as an automatic answer. At paragraph 45, the Hon'ble High Court of Delhi cautioned against a sports authority acting as a "*Super Selector*" and creating "*criteria for selection which do not exist in*" the governing framework (Paragraph 45). That is not, in truth, the vice at play here; the SFI has not invented a new criterion outside Clause 5, it has, on this Court's finding, failed to show that it gave a criterion the framework itself required, namely the Asian Championship benchmark, the weight and the reasoned treatment the Appeals Panel demanded. At paragraph 50, the Hon'ble High Court of Delhi in **Manjeet** found that athletes had been "*assessed and excluded on the basis of conditions ... which do not find mention in*" the governing document (Paragraph 50); again, this is a case of an extraneous criterion being applied, which is not quite the complaint here. This Court therefore does not treat Manjeet as directly on all fours on this particular question, and distinguishes it to that extent, while nonetheless drawing from it the wider and undisputed proposition, already applied under



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Point No.1, that a completed selection process does not become immune from scrutiny merely because it has been acted upon.

23.33. What this Court decides here, is confined to the broader question of compliance with the Appeals Panel's directions regarding the relevant period and the Asian Championship benchmark, and on that question, for the reasons given above, this Court's finding is that the fresh selection process did not demonstrate compliance in the manner the Appeals Panel required, in that the record does not disclose the detailed and cogent reasons that were a necessary condition for any departure from the benchmark that the Petitioner's Bronze Medal represented.

23.34. This finding is not a finding that the Petitioner ought necessarily to have been selected in preference to Respondent No.5; it is a finding that the process by which the choice between them was made has not been shown to satisfy the specific safeguard the Appeals Panel built into its remand.



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23.35. This Court must also deal with the submission of learned counsel for the SFI that the earlier Selection Committee and the Special Selection Committee arrived at a broadly similar assessment of the relative standing of the Petitioner and Respondent No.5, which, he submitted, lends support to the eventual selection. This Court is unable to accept that this circumstance advances the SFI's case. The earlier Selection Committee's assessment was itself set aside by the Appeals Panel precisely because that Committee was not properly constituted, and a decision that has already been annulled for want of proper constitution cannot lend legitimacy, by mere repetition of its outcome, to a second decision that suffers from its own, independent infirmities. Two assessments arriving at the same destination by different, and each separately questionable, routes do not validate one another; if anything, the recurrence of a similar outcome without a visibly different or more rigorous process each time is as consistent with an unexamined assumption carried forward from the first exercise to the second as it is with an



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independently and properly reasoned second look

23.36. This Court answers point No.2 by holding that the fresh selection process did not fully comply with the directions of the Appeals Panel dated 16.06.2026 regarding consideration of, and reasoned departure from, the relevant international performances from 01.01.2025 onwards, and in particular the Petitioner's performance at the Asian Surfing Championship, 2025.

24. **Answer to Point No.3: Whether the Special Selection Committee was justified in recommending a Surf-Off without first completing the prescribed tie-break process, particularly in view of the clarification issued by the General Secretary of the SFI?**

24.1. Learned counsel for the Petitioner submitted that once the Special Selection Committee recorded a tie between the Petitioner and Respondent No.5, it sought clarification from the SFI, which was furnished by the General Secretary by email dated 21.06.2026. He submitted that this clarification set out a definite sequence and not a menu of



interchangeable options, and described it in four steps:

- 24.1.1. first, the Committee was to determine the position on the basis of objective, cross-comparable performance data, with the Asian Surfing Championship, 2025, expressly identified as an important objective input;
- 24.1.2. second, if that did not produce a clear outcome, the Committee was to apply the tie-break sequence contained in the Selection Policy, namely the head-to-head record in the relevant events, the highest best single-event result or points, the second-best single-event result, and, as a final differentiator, subjective assessment;
- 24.1.3. third, only if the matter still remained unresolved, an internal Surf-Off was suggested as a possible mechanism; and
- 24.1.4. fourth, if the deadlock persisted even after that, the matter was to be escalated to the Ministry of Youth Affairs



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and Sports or the Sports Authority of India.

24.2. Learned counsel submitted that the minutes of the Committee's meeting of 21.06.2026 show that its members continued to disagree on the meaning and application of the objective criteria at the very first step: one point of disagreement concerned the scope of "head-to-head" comparison, and another concerned how to average percentile scores where the two athletes had competed in unequal numbers of events. No consensus was reached on either question. According to learned counsel, this means that Step 1 of the General Secretary's own sequence was never actually completed, so that the Committee could not properly have moved even to Step 2, let alone to Step 3, which is where the idea of a Surf-Off arises.

24.3. Learned counsel for the Petitioner submitted that this difficulty was compounded by the fact that one of the Committee's members, Ms Nitisha Sethia, expressed the specific view that the procedure being followed was not in accordance with the Selection Policy, that the



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Asian Surfing Championship, 2025, ought to have been given effect to in terms of the Appeals Panel's direction, and thereafter resigned from the Committee. He submitted that the remaining members, rather than pausing to consider the effect of this resignation on the propriety of continuing the exercise, proceeded to discuss and ultimately recommend a Surf-Off, still without having completed the first two steps of the very sequence the General Secretary had outlined for their guidance.

24.4. Learned counsel for the Petitioner submitted that even a genuine difficulty in applying a provision of the Policy could not be treated as a warrant to leapfrog to a different and more drastic mechanism; the Committee's proper course, if it found Step 1 or Step 2 difficult to apply, was to record its reasons for whatever conclusion it reached on those steps, or to seek further clarification, not to bypass them altogether. He clarified, importantly, that the Petitioner has no objection in principle to a Surf-Off as a mechanism; his objection is confined to the sequence in which it is sought



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to be deployed, since even the General Secretary's own clarification placed it only after, and not instead of, the objective and tie-break stages.

24.5. Sri Ajay J. Nandalike, learned counsel for the SFI, submitted that the General Secretary's email of 21.06.2026 did not itself decide anything and did not bind the Committee to a rigid, non-negotiable order of steps; it merely set out the possible courses open to the Committee for resolving the deadlock, while leaving the ultimate decision to the Committee's own deliberation on the material before it. He submitted that no adverse inference could be drawn from that communication.

24.6. Learned counsel submitted that despite the Committee's efforts, the deadlock between the Petitioner and Respondent No.5 persisted through the meeting of 21.06.2026, and that this had to be resolved urgently because the SFI was obliged to communicate the composition of the surfing squad within the time available for the Asian Games. He



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submitted that, on 22.06.2026, the SFI informed the Indian Olympic Association of the continuing deadlock and requested that a Surf-Off be organised between the Petitioner and Respondent No.5, seeking the maximum possible extension of time for that purpose, but received no response to that communication sent at about 3.45 p.m. that day. In those circumstances, and with the deadline pressing, the SFI proceeded to forward the names of the selected athletes on 23.06.2026, so as to protect India's interest in retaining its quota position in the surfing events.

24.7. Learned counsel submitted that the SFI remains, even now, willing to conduct a Surf-Off between the Petitioner and Respondent No.5, since both continue to train at the National Training Camp, and is willing to constitute an independent panel of international judges for that purpose, so as to remove any apprehension of partiality and to provide a direct, contemporaneous, and transparent means of resolving the continuing disagreement between two athletes whom the SFI regards as both being of sufficient merit to



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be considered for the position. He submitted that this proposal is not intended to displace the Selection Policy but to operationalise it in a manner fair to both athletes.

24.8. The material on record shows that, after the Special Selection Committee found a tie between the Petitioner and Respondent No.5, it sought clarification from the SFI. The General Secretary of the SFI, by email dated 21.06.2026, explained the manner in which the deadlock could be resolved.

24.9. The clarification contemplated four successive stages. First, the Committee was required to compare the objective performance data of the two athletes, including their performance in the Asian Surfing Championship, 2025. Secondly, if that exercise did not produce a clear result, the tie-break provisions under the Selection Policy were to be applied. Thirdly, only if the matter remained unresolved after the earlier steps, an internal Surf-Off could be considered. Finally, if the deadlock continued even thereafter, the matter could be taken to MYAS or SAI.



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24.10. The first question, therefore, is whether these were merely four alternative methods placed before the Committee, or whether they were intended to be followed one after another. In the considered view of this Court, the language of the clarification makes the position clear. The second step was to follow only if the first step did not give a clear result. The third step was to be considered only if the matter “still” remained unresolved. The fourth step was to arise only if the deadlock continued “even after” the third step.

24.11. These expressions show that the General Secretary was not giving the Committee four independent choices. He was explaining the order in which the matter was to be dealt with. The Committee could not therefore select the third step merely because it found the first or second step difficult to apply. If that interpretation were accepted, there would be no purpose in prescribing the earlier stages.

24.12. The minutes of the meeting dated 21.06.2026 are important in this regard. They show that the members of the Committee were still



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divided about the manner in which the objective material was to be assessed. There was disagreement about the meaning of “head-to-head” performance. There was also disagreement regarding the manner in which percentile scores should be averaged when the two athletes had participated in different numbers of events. No final agreement was reached on these questions.

24.13. Thus, the difficulty before the Committee was not that it had applied the prescribed criteria and, after doing so, found that the result was still exactly equal. Rather, the Committee had not reached agreement on how some of the prescribed criteria themselves were to be applied.

24.14. This distinction is important. If the Committee had applied the prescribed criteria and, after completing the exercise, found that the Petitioner and Respondent No.5 remained equal, it could then consider the next step in accordance with the Policy and the clarification. But where the Committee had not completed the earlier exercise, it could not treat the



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resulting disagreement as a completed tie and move directly to a Surf-Off.

24.15. Learned counsel for the SFI submits that the General Secretary's email merely identified the possible courses available to the Committee and did not require them to be followed in any particular order. This submission cannot be accepted. The language of the email, read as a whole, does not support such an interpretation. Each subsequent step was made dependent upon the failure of the preceding step. The words used are simple and have a clear meaning. The Committee was required to proceed in sequence.

24.16. There was another circumstance which called for caution. During the meeting, Ms. Nitisha Sethia raised an objection to the procedure being followed. Her objection included the manner in which the Asian Surfing Championship, 2025 performance was being treated and the departure from the Selection Policy. She thereafter resigned from the Committee.



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24.17. This Court does not consider it necessary to decide whether Ms. Sethia's views on the sporting merits were correct. Nor is her association with Surf Kerala, relied upon by the SFI, relevant to the legal issue now being considered. What is relevant is that a member of the Selection Committee raised a contemporaneous objection that the procedure being followed was not in accordance with the Policy and thereafter resigned.

24.18. Once such an objection was raised, particularly when the Committee was already divided on the method of applying the selection criteria, the appropriate course would have been to pause the process and obtain further clarification, if necessary. Instead, the remaining members continued the deliberations and moved towards the Surf-Off.

24.19. The SFI submits that the Committee had to act quickly because the deadline for communicating the names was approaching. The Court has considered this submission. However, the deadline does not explain why the prescribed procedure could not be completed.



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24.20. In fact, Clause 5 of the Selection Policy itself contemplated that an internal Surf-Off could be conducted by 15.07.2026, if required. The Committee's meeting was held on 21.06.2026. Therefore, the Policy itself contemplated the possibility of a Surf-Off at a later date. There was no material before this Court to show that it was necessary to bypass the earlier stages merely because the final date for communication of the names was approaching.

24.21. Administrative urgency cannot be used to change the procedure prescribed by the authority itself. The authorities responsible for the selection were aware of the relevant deadlines. If they considered that the time available was insufficient, they could have sought appropriate clarification or extension from the competent authority. What they could not do was treat the deadline as a reason to skip mandatory parts of the selection process.

24.22. This Court is also mindful of the limited scope of judicial review in matters concerning sporting selections. This Court is not an expert in surfing and does not propose to decide which of the



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two athletes is the better surfer. It is equally not the function of the Court to award marks or re-assess the performance of the Petitioner and Respondent No.5.

24.23. The question before the Court is much narrower. The question is whether the Selection Committee followed the procedure which the SFI had itself prescribed and which its General Secretary had subsequently explained when the Committee sought clarification.

24.24. There is an important difference between questioning the result of an expert assessment and questioning the manner in which the assessment was made. In the first case, the Court would normally be slow to interfere. In the second, the Court can examine whether the authority acted according to the rules governing its decision-making process.

24.25. In the present case, the Court is concerned with the latter. The issue is not whether the Petitioner or Respondent No.5 should ultimately occupy the confirmed position. The issue is whether the Committee was entitled to proceed to a Surf-Off without first completing the



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objective assessment and the tie-break process which preceded it.

24.26. The SFI also submits that it is even now willing to conduct a Surf-Off between the Petitioner and Respondent No.5 before an independent panel of international judges. The Court appreciates that this proposal is intended to provide a practical solution to the continuing dispute. There is, however, no need to decide at this stage whether a Surf-Off is, in itself, a fair or appropriate method.

24.27. The defect lies in when the Surf-Off was introduced into the process, and not necessarily in the Surf-Off itself. If the Policy permits a Surf-Off after the earlier stages have been completed, there may be nothing inherently improper in conducting one. What is not permissible is to use the Surf-Off as a substitute for the earlier stages.

24.28. It is also necessary to clarify that the Court's conclusion does not depend upon whether the last differentiating factor mentioned in the General Secretary's email was described as "subjective assessment" or whether Clause 5



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contains a different final tie-break provision at another stage. Even assuming that the clarification correctly identified the final differentiating factor, the earlier steps still had to be completed. The record does not show that the objective comparison and the prescribed tie-break criteria were fully worked out before the Committee moved to the Surf-Off.

24.29. The equal division of the Committee, with two members supporting the Petitioner and two supporting Respondent No.5, does not alter this position. A tied vote may show that the Committee could not agree on the final outcome. It does not, by itself, establish that the prescribed method for reaching that outcome had been fully applied.

24.30. The Court therefore finds that the Special Selection Committee did not complete the earlier stages of the process before recommending a Surf-Off. The recommendation was consequently made prematurely.

24.31. This conclusion does not mean that the Petitioner is entitled, merely because of this finding, to be declared the selected athlete. Nor



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does it mean that Respondent No.5 is disqualified from being selected. The Court is only holding that the decision must be reached by following the prescribed procedure.

24.32. The principle is simple. Where an authority has itself prescribed a method for resolving a tie, it must first follow that method. It cannot move to a later or alternative method merely because the earlier method has become difficult to apply.

24.33. For these reasons, this Court holds that the Special Selection Committee was not justified in recommending a Surf-Off on 21.06.2026 without first completing the objective assessment and the tie-break process contemplated under the Selection Policy as clarified by the General Secretary of SFI.

25. **Answer to Point No.4: Whether the Executive Council of the SFI had the power to independently select Respondent No.5 when the Special Selection Committee had failed to arrive at a decision?**

25.1. Learned counsel for the Petitioner submitted that Module 5 of Clause 5 of the Selection Policy requires that "provisional names" be



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"approved by SC and ratified by SFI EC," a formulation which, according to him, casts the Executive Council in the role of a ratifying authority acting upon a selection already arrived at by the Selection Committee, and not in the role of an original selector in its own right. He submitted that ratification, by its ordinary meaning, presupposes something concrete to ratify, namely a provisional selection actually made by the body entrusted with making it.

25.2. Learned counsel submitted that the Special Selection Committee never arrived at any provisional selection as between the Petitioner and Respondent No.5; it recorded a tie, sought clarification, met again on 21.06.2026, and ended that meeting with an equally divided vote of two members to two, without resolving the deadlock. There being no provisional selection by the Selection Committee capable of ratification, learned counsel submitted that the Executive Council's subsequent action, described by the SFI itself as an "Executive Call," selecting Respondent No.5 as the second confirmed athlete and placing the Petitioner as



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the first reserve, was not an exercise of the ratifying power conferred by Module 5 at all, but an entirely independent act of original selection, one for which the Policy gives the Executive Council no warrant.

25.3. He submitted that the Executive Council could not cure the Selection Committee's failure to complete the prescribed process by substituting its own selection for that of the Committee; if the Committee had not lawfully completed the exercise entrusted to it, there was, in law, no valid provisional selection in existence for the Executive Council to ratify, and the Executive Council's power under the Policy did not extend to filling that vacuum by making a fresh choice of its own.

25.4. In reply, learned counsel submitted that the Executive Council's action represented a further and independent departure from the Selection Policy, over and above the infirmities already pressed under Points No.2 and 3, since the Selection Committee had not arrived at any concluded selection between the Petitioner and Respondent No.5 at the time the Executive



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Council acted, and the Policy nowhere clothes the Executive Council with an original selecting function to be exercised in such a contingency.

25.5. Sri Ajay J. Nandalike, learned counsel for the SFI, submitted that the Special Selection Committee was, in substance, a delegate constituted by the SFI to carry out the selection exercise on the SFI's behalf, and that its constitution as such a delegate did not result in the SFI losing its own, underlying authority over the selection of athletes. On this footing, he submitted that when the delegate, namely the Special Selection Committee, failed to arrive at either a unanimous or a majority decision and recorded a deadlock, the failure of the delegate to decide did not extinguish the authority retained by the principal, the SFI, and that the SFI, acting through its Executive Council, was entitled to exercise that retained authority and bring the selection process to a conclusion.

25.6. For this proposition, learned counsel relied on the judgment of the Hon'ble Supreme Court in ***Ishwar Singh v. State of Rajasthan*** [(2005)



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2 SCC 334], more particularly paragraphs 10 and 12 thereof. At paragraph 10, the Hon'ble Supreme Court, drawing upon the Collins English Dictionary, observed that a "delegate" is *"a person who is chosen to vote or make decisions on behalf of a group of other people"* and that *"if you delegate duties, responsibilities or power to someone, you give them those duties, those responsibilities, or that power so that they can act on your behalf"* (Paragraph 10). At paragraph 12, relying on Venkataramaiya's Law Lexicon, it was observed that *"delegation ... does not imply a parting with powers by the person who grants the delegation, but points rather to a conferring of an authority to do things which otherwise the person would have to do himself"* (Paragraph 12).

25.7. Learned counsel submitted that this explains why the Executive Council's decision was not an usurpation of a power belonging exclusively to the Special Selection Committee, but simply the exercise, by the principal, of the very authority it had all along retained, notwithstanding the delegation, an exercise



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rendered necessary once the delegate proved unable to decide.

25.8. Learned counsel further submitted that the Executive Council's decision has to be understood against the urgent deadline for communicating the names to the Indian Olympic Association, and that the SFI could not risk losing India's quota or its representation at the Asian Games merely because the delegated Committee remained deadlocked. He submitted that the expression "ratification" used in the Policy cannot be read as completely excluding the SFI's retained power to act where the Selection Committee is unable to arrive at a decision at all.

25.9. This point concerns a narrow question: what power did the Selection Policy give to the Executive Council at the final stage, and did the Executive Council act within that power when it selected Respondent No.5? The question does not require the Court to decide which of the two athletes is better. It requires only an examination of the Selection Policy and the manner in which the Executive Council acted.



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25.10. Module 5 of Clause 5 provides that the “provisional names” are to be “approved by SC and ratified by SFI EC”. The provision therefore contemplates two stages. First, the Selection Committee has to approve the provisional names. Thereafter, the Executive Council has to ratify those names.

25.11. The words used in the Policy are important. The Executive Council is required to ratify the names approved by the Selection Committee. Ratification ordinarily means confirmation or approval of something which has already been decided. It presupposes the existence of a prior decision. Therefore, where the Selection Committee has not approved any name for a particular position, there is nothing before the Executive Council which can be ratified.

25.12. In the present case, the Special Selection Committee did not approve either the Petitioner or Respondent No.5 for the second confirmed position. It first recorded a tie, sought clarification from the General Secretary, met again on 21.06.2026 and remained divided, with two members supporting the Petitioner



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and two supporting Respondent No.5. Thus, there was no provisional selection by the Committee in respect of the disputed position.

25.13. In these circumstances, the Executive Council's subsequent decision to select Respondent No.5 cannot properly be described as ratification. It was, in substance, a fresh selection made by the Executive Council itself. The fact that the SFI described the decision as an "Executive Call" also shows that the Executive Council was not merely confirming a decision already taken by the Selection Committee.

25.14. Learned counsel for the SFI relies upon ***Ishwar Singh***, and submits that delegation does not necessarily mean that the principal gives up the power which has been delegated. The Court has no difficulty accepting that general proposition. However, the question in the present case is not whether a principal can, in every situation, exercise a power after delegating it. The question is what the SFI itself provided in its Selection Policy.

25.15. The decision in ***Ishwar Singh*** deals with the general concept of delegation. It does not



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interpret the particular words used by the SFI in Module 5. The SFI was free to provide that, if the Selection Committee failed to reach a decision, the Executive Council could itself make the final selection. It could also have prescribed a further mechanism for resolving such a deadlock. But no such provision has been shown to exist.

25.16. On the contrary, the Selection Policy contains specific provisions dealing with other situations where difficulty may arise. It provides a tie-break mechanism, permits an internal Surf-Off in the circumstances contemplated by Module 4, and provides for escalation in the manner indicated in the clarification issued by the General Secretary. The Policy does not say that, if the Selection Committee remains equally divided, the Executive Council may take over the selection and choose one of the athletes.

25.17. This is also consistent with Clause 17 of the Selection Policy. Clause 17 provides that the SFI may amend or update the Policy when changes in government regulations, international federation guidelines, IOA/OCA



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requirements or unforeseen external circumstances make such change necessary. It further provides for communication of such changes to the athletes.

25.18. The SFI had in fact exercised this power earlier by issuing an Addendum dated 16.05.2026 to Module 5 to align the selection timeline with the requirements of the Indian Olympic Association. This shows that the SFI knew how to change its Policy when a change was considered necessary. No amendment has been shown which conferred upon the Executive Council an independent power to select an athlete when the Selection Committee remained deadlocked.

25.19. The submission based on the urgency of the deadline also cannot, by itself, confer such power. The SFI was required to act within the powers given to it by the Policy. The fact that the names had to be communicated within a particular time may explain why the SFI felt compelled to take a decision, but it cannot create a power which the Policy does not contain.



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25.20. The General Secretary's clarification also contemplated escalation to MYAS or SAI if the earlier steps failed to resolve the deadlock. The SFI had, in fact, approached the IOA on 22.06.2026 seeking additional time. Thus, the Policy and the subsequent clarification provided avenues by which the difficulty could have been addressed.

25.21. If the SFI considered that the Policy did not adequately deal with the situation which had arisen, it could have invoked Clause 17 and made an appropriate amendment after giving the required notice. What it could not do was treat the urgency as an implied amendment to the Policy and confer upon the Executive Council a power which had not been expressly given to it.

25.22. The Court is conscious that the Executive Council and the officers of the SFI may have acted with the genuine intention of ensuring India's participation in the Asian Games. There is no need to question their bona fides for deciding this issue. The question is one of authority, and not motive. Even a decision



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taken with the best of intentions must be within the power conferred by the governing rules.

25.23. The principle of judicial restraint in sporting matters does not alter this conclusion. The Court is not interfering with the sporting assessment of the Petitioner and Respondent No.5. It is only examining whether the SFI's own bodies acted within the authority given to them by the Selection Policy.

25.24. Once the Selection Committee had failed to approve a provisional name for the disputed position, the Executive Council could not, under the wording of Module 5, convert its power of ratification into an original power of selection. The two functions are different.

25.25. The proper course, when the Selection Committee remained deadlocked, was to follow the remaining mechanisms available under the Policy and the clarification, or obtain appropriate directions from the competent authority. The Executive Council could not bypass those mechanisms and itself decide which athlete should be selected.



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25.26. This Court, therefore, holds that the general principle in ***Ishwar Singh*** regarding delegation does not assist the SFI on the facts of the present case. The specific language of its own Selection Policy governs the exercise of the power. Module 5 required a prior approval by the Selection Committee before the Executive Council could exercise its power of ratification. No such approval existed in respect of the second confirmed position.

25.27. This court answers Point No.4 by holding that the Executive Council of the SFI did not have the power under Module 5 of Clause 5 of the Selection Policy to independently select Respondent No.5 when the Special Selection Committee had not approved any provisional name for the position in question.

26. **Answer to Point No.5: Whether the impugned selection of Respondent No.5 and consequential placement of the Petitioner as first reserve are liable to be quashed, and, if so, what relief should follow?**

26.1. Learned counsel for the Petitioner submitted that the cumulative effect of the infirmities set out, namely, the absence of detailed and



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cogent reasons for departing from the Asian Championship benchmark, the premature recommendation of a Surf-Off without completing the prescribed tie-break sequence, and the Executive Council's assumption of a selecting power that Module 5 does not confer upon it, renders the selection of Respondent No.5 as the second confirmed athlete, and the consequential placement of the Petitioner as the first reserve, unsustainable in law. He accordingly prayed that this selection, and the SFI's decision dated 23.06.2026 giving effect to it, along with the Selection public summaries dated 20.06.2026 and 21.06.2026, be quashed, and that Respondent No.3 be directed to recall the list of selected athletes to the extent it reflects this selection.

26.2. Learned counsel submitted, as his principal prayer, that the appropriate course would be a fresh exercise by the competent authority, strictly in accordance with Clause 5 of the Selection Policy, the decision of the Appeals Panel dated 16.06.2026, the MYAS Directive dated 24.09.2025, and the sequential mechanism clarified by the General Secretary



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on 21.06.2026. He reiterated that the Petitioner does not seek a finding from this Court that he is the better athlete, only that the process the SFI itself devised be honestly completed.

26.3. Sri Ajay J. Nandalike, learned counsel for the SFI, while maintaining that no interference is warranted, submitted in the alternative, and without prejudice to his primary submissions, that if this Court is of the view that the continuing deadlock requires an independent resolution, the SFI remains willing to conduct a Surf-Off between the Petitioner and Respondent No.5, both of whom continue to train together at the National Training Camp, under the supervision of an independent panel of international judges, and to abide by the result of that contest.

26.4. Sri Snehil Balani, learned counsel for the Indian Olympic Association, and Sri Abhilash R., learned counsel for the Sports Authority of India, both reiterated that their respective clients had no role in the selection itself and had proceeded only on the basis of the list communicated to them by the SFI.



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- 26.5. This Court now brings together the findings recorded under the preceding four Points, without repeating the reasoning by which each was reached, in order to decide what should follow from them.
- 26.6. Under Point No.1, this Court has held that the writ petition is maintainable and that the forwarding of names does not bar this Court from examining the legality of the selection.
- 26.7. Under Point No.2, this Court has held that the fresh selection process did not demonstrate the detailed and cogent reasons the Appeals Panel required for any departure from the Asian Championship benchmark relevant to the Petitioner's Bronze Medal.
- 26.8. Under Point No.3, this Court has held that the Special Selection Committee's recommendation of a Surf-Off on 21.06.2026 was premature, being made without first completing Steps 1 and 2 of the sequence set out in the General Secretary's clarification of that date.
- 26.9. Under Point No.4, this Court has held that the Executive Council's selection of Respondent



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No.5, in the absence of any provisional selection approved by the Special Selection Committee, was not an act of ratification within the meaning of Module 5 of Clause 5, and was therefore taken without authority.

26.10. These findings, taken together, leave this Court in no doubt that the selection of Respondent No.5 as the second confirmed athlete, and the consequential placement of the Petitioner as the first reserve athlete, as communicated by the SFI on 23.06.2026, is vitiated in law and would, in the ordinary course, be liable to be quashed. The illegality found is not a single, isolated slip that might be excused as immaterial; it runs through three successive stages of the process, the treatment of a factor the Appeals Panel required to be considered, the sequence by which the tie was sought to be broken, and the authority under which the final choice was made, and each stage compounds the difficulty created by the one before it. On the footing of Points No.2, 3 and 4 standing alone, this Court would have had little hesitation in setting aside the decision of the SFI dated 23.06.2026 in so far as it selects



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Respondent No.5 as the second confirmed athlete and places the Petitioner as the first reserve athlete.

26.11. At this stage, the Court has to consider not only the illegality found in the process but also the effect of granting the relief sought by the Petitioner. A finding that a decision is legally defective does not, in every case, mean that the Court must necessarily undo everything that has happened thereafter. The power under Article 226 is discretionary. The Court has to consider what relief would be appropriate in the circumstances of the particular case.

26.12. The present case has to be considered against the stage which the selection process has already reached. The names of the selected athletes have been forwarded by the SFI to the Sports Authority of India and the Indian Olympic Association. They have thereafter been communicated to the Asian Olympic Association and uploaded on the relevant portal. The 20th Asian Games are now imminent and scheduled to be held from September 19 to October 4, 2026.



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26.13. If the Court were to set aside the selection at this stage and direct that the names be withdrawn and a fresh selection undertaken, there is a real possibility of delay in processing the revised names. The Court cannot proceed on the assumption that the concerned international authorities would necessarily accept a change at this late stage or that sufficient time would remain for completing all consequential formalities.

26.14. There is also a larger consideration. The consequence of disturbing the present list may not be confined to the Petitioner and Respondent No.5. India's quota in the men's surfing event may itself be placed at risk. If the revised nomination is not accepted within the available time, other members of the Indian surfing contingent may also be affected. The issue, therefore, is no longer confined to deciding which of two athletes should occupy the second confirmed position. It may affect India's participation in the event as a whole.

26.15. The SFI has relied upon the approaching deadline and the need to protect India's



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representation. That consideration cannot justify the departures from the Selection Policy which have already been found. At the same time, the same consideration becomes relevant when the Court has to decide what relief should now be granted.

26.16. There is a distinction between finding an illegality and deciding the appropriate consequential relief. The Court has found that the selection process was not conducted in accordance with the governing Policy. That finding remains.

26.17. The fact that the Court may, for practical reasons, decline to cancel the selection does not convert an unlawful process into a lawful one.

26.18. The decision in ***Manjeet v. Indian Olympic Association*** is relevant in this context. The Hon'ble Delhi High Court, while dealing with a challenge to the selection of athletes for an international sporting event, considered the submission that the selection had already been completed and that the relevant deadline had passed. The Hon'ble Delhi High Court



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nevertheless examined the legality of the process and found it to be manifestly arbitrary and unfair. It did not treat completion of the selection process as a bar to judicial scrutiny.

26.19. At the same time, **Manjeet** also illustrates that the relief in a writ petition can be shaped according to the circumstances. This Court is not required to adopt an all-or-nothing approach. Where subsequent events make it impractical or harmful to undo the entire process, this Court may mould the relief so that the illegality is recognised and appropriate directions are issued without causing greater prejudice.

26.20. In the present case, this Court is therefore of the view that setting aside the selection at this late stage would create consequences which go beyond the dispute between the Petitioner and Respondent No.5. The possibility of affecting India's participation in the men's surfing event is a serious consideration. It would not be appropriate for this Court to put the country's representation at risk merely to correct a selection process which, although found to be



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legally defective, has already resulted in the names being processed at the international level.

26.21. This Court is also conscious that the Petitioner has approached the Court because he claims that the selection process deprived him of an opportunity to represent the country. His grievance cannot be dismissed merely because the authorities have completed the subsequent steps. This Court has already held that the forwarding or uploading of the names does not prevent judicial scrutiny of the underlying selection process.

26.22. The fact that the Court does not disturb the selection at this stage therefore should not be understood as an acceptance of the SFI's procedure. The selection of Respondent No.5 remains affected by the defects already identified under the earlier points. This Court is only declining to grant the consequential relief of quashing the selection because of the present circumstances and the possible effect upon India's participation in the Asian Games.



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26.23. This Court must nevertheless consider whether anything further should follow from the findings already recorded. In the opinion of this Court, the matter cannot simply end with a finding that the process was defective.

26.24. The SFI had itself framed the Selection Policy. The athletes participating in the selection process were entitled to proceed on the basis that the Policy would be followed. The Policy was not merely an internal document of the Federation. It laid down the conditions and procedure under which athletes would compete for selection to represent the country.

26.25. A sportsperson who spends years training and competing for the opportunity to represent the country is entitled to know the rules by which the selection will be made. Once the Federation publishes those rules, it must follow them fairly and consistently. If the Federation departs from them at the decisive stage, the athlete is placed at a serious disadvantage because the athlete has no opportunity to arrange his or her preparation on the basis of a rule which is introduced later.



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26.26. This is particularly important in the present case because the process had already once been set aside by the Appeals Panel. The fresh selection was therefore not an ordinary first-time exercise. The SFI was required to correct the defects which had led to the earlier selection being set aside. The fact that further departures occurred during the fresh exercise makes the matter more serious.

26.27. That, however, is emphatically not the end of the matter. The persons responsible for the manner in which the fresh selection was conducted, and for the departures recorded under Points No.2, 3 and 4, cannot be permitted to treat this restraint as an acquittal. A National Sports Federation that frames its own Selection Policy, invites athletes, coaches and officials to order their conduct by it, and then departs from that very Policy without recording the reasons the Policy itself demands, cannot be allowed to walk away from that departure unexamined merely because this Court has, for reasons entirely unconnected with the merits of the departure, declined to unwind its consequences. If accountability were



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confined only to the setting aside of what has already been done, an authority racing against a deadline of its own making would always have an incentive to act first and defend itself later, secure in the knowledge that the imminence of the very event it was selecting for would shield the process from real scrutiny. This Court is not willing to allow the SFI's Selection Policy, or the confidence athletes are entitled to repose in it, to be treated in that fashion.

26.28. This Court considers it necessary, before directing the course set out below, to record why such accountability is owed, and to whom. National Sports Federations exist, and are permitted to function as the recognised custodians of their respective disciplines, only because of the sportsmen and sportswomen who have dedicated their lives, frequently at real personal and financial sacrifice, to representing the country in that discipline. In a country such as ours, where the funding, infrastructure and facilities made available to a sportsperson are not always as abundant, or as readily forthcoming, as the effort and sacrifice a



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sporting career demands, a sportsperson who has proved himself or herself through performance on the field of play is entitled to be treated with the respect that such achievement deserves, and to have his or her claim to selection considered strictly in accordance with the policy that the Federation itself has published and holds out to athletes as the applicable norm. Where a Federation publishes a Selection Policy of this kind, and invites athletes to order their training, their competitive calendar, and indeed a material part of their sporting careers, around what that Policy promises, a legitimate expectation arises, and is intended to arise, that the Policy as published will be implemented in its true letter and spirit; and where there is a violation of that expectation, it is not a mere administrative irregularity to be viewed indulgently, but a breach of the trust that the athletes governed by the Policy, and the public that follows and supports them, are entitled to repose in the Federation.

26.29. Litigation of the present kind, in which a Court is compelled to record that the actions of a



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National Sports Federation have been manifestly arbitrary, does no credit, and augurs no good, to the Federation whose conduct is so examined. This Court places on record its disapproval of the manner in which the fresh selection process in question was conducted by the SFI, for the reasons already recorded in detail under Points No.2, 3 and 4, and considers it necessary to state, in terms that admit of no ambiguity, that Sports Federations, including Respondent No.4, are required to conduct themselves strictly in accordance with law, and are not above the law merely because they administer a particular sport. They are public institutions, discharging public duties, and functioning, in substantial measure, with the aid of public funds; the citizens of this country are entitled to look to such Federations to discharge that duty correctly, and to identify, through a selection process that is transparent and impeccable in its adherence to the Federation's own published policy, the proper persons to represent the country in international competition. A Federation that falls short of that standard, and does so in a



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manner that comes to light only through the intervention of a Court, must be taken to have failed in a public duty owed not merely to the contesting athletes before the Court, but to the country at large, and this Court records its disapproval accordingly, together with its expectation that Respondent No.4 shall not permit a recurrence.

26.30. This Court therefore considers that the officers and members responsible for the fresh selection process should be required to explain the circumstances in which the Policy and the directions of the Appeals Panel were not followed.

26.31. Such an exercise need not amount to a finding that any particular person acted with mala fide intention. The question is different. It is necessary to ascertain what happened, why the prescribed procedure was not followed, who took the relevant decisions, and whether any change to the selection process was consciously made and, if so, on what basis.

26.32. The inquiry should therefore cover the conduct of the members of the Special Selection



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Committee who participated in the meetings of 16.06.2026 and 21.06.2026 and the members of the Executive Council who took the decision described as the "Executive Call" on or about 23.06.2026.

26.33. The inquiry shall amongst others examine the entire decision-making process which led to the selection of Respondent No.5 as the second confirmed athlete and the placement of the Petitioner as the first reserve. It should not be confined to the final decision of the Executive Council alone, since the final decision was preceded by the proceedings of the Special Selection Committee, the clarification sought from the SFI, the response of the General Secretary, the deliberations of the Committee on 21.06.2026, the resignation of one of its members, the proposal for a Surf-Off, the communications exchanged with the Indian Olympic Association, and finally the decision described as the "Executive Call". The inquiry may, therefore, examine, among other things, the following aspects:



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26.33.1. **Constitution and authority of the Selection Committee:** Whether the Special Selection Committee was constituted strictly in accordance with Clause 10 of the Selection Policy and the directions contained in the Appeals Panel's order dated 16.06.2026; whether all the members who participated in the selection were duly authorised; what was the scope of the authority given to the Committee; and whether the Committee understood its role to be that of making the selection, making a recommendation, or making a provisional selection subject to ratification by the Executive Council.

26.33.2. **Effect of the Appeals Panel's decision dated 16.06.2026:** Whether the Appeals Panel had directed the SFI to undertake a completely fresh selection in accordance with the Selection Policy; whether the Committee was aware of each of the directions contained in that decision; whether those directions were placed before the Committee and



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considered; and whether the Committee consciously or otherwise departed from any of those directions.

26.33.3. Consideration of the Asian Surfing Championship, 2025: Whether the performance of the Petitioner at the Asian Surfing Championship, 2025 was actually considered by the Special Selection Committee; what weight, if any, was given to the Petitioner's Bronze Medal performance; whether the same criteria were applied to the performance of Respondent No.5; and whether the direction of the Appeals Panel that due weight be given to the Asian Championships was complied with.

26.33.4. Consideration of international events from 01.01.2025: Whether all International events commencing from 01.01.2025, which the Appeals Panel had directed to be taken into consideration, were in fact considered; what data relating to those events was placed before the Committee; whether



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the data was complete and accurate; whether the same method of assessment was applied to both athletes; and whether any relevant performance was omitted, overlooked or given a different treatment.

26.33.5. **Application of Clause 5 of the Selection Policy:** Whether the Selection Committee followed the Selection Pathway prescribed under Clause 5; whether the weightages and objective criteria prescribed under the Policy were correctly applied; whether the ranking data, competition results and other performance data were properly compiled; whether any criterion was ignored or introduced during the course of the selection; and whether the Committee recorded the basis on which the final comparative assessment was made.

26.33.6. **Determination of the alleged tie:** Whether there was, in fact, a tie between the Petitioner and Respondent



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No.5 after the prescribed criteria had been fully applied; or whether the Committee reached a conclusion that there was a tie because it was unable to agree upon the manner in which the criteria were to be applied. The inquiry may examine the distinction between these two situations, since a failure of the members to agree on the method of assessment is different from an equality of results after the prescribed method has been correctly applied.

26.33.7. **Meaning and application of the tie-break mechanism:** Whether the tie-break mechanism contained in the Selection Policy was correctly understood by the Committee; whether each stage of that mechanism was applied in the prescribed order; whether the head-to-head results were properly considered; whether the best single-event performance was considered; whether the second-best single-event performance was considered; and whether any further tie-break



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contemplated by the Policy was reached only after the preceding stages had been exhausted.

26.33.8. Different number of events participated in by the two athletes:

Whether the Committee properly dealt with the fact that the Petitioner and Respondent No.5 had participated in different numbers of events; whether the method of calculating or comparing percentile scores was prescribed in advance; whether such method was contained in the Selection Policy or was developed during the selection process; whether the same method was applied to both athletes; and whether the use of such method materially affected the comparative result.

26.33.9. Role of the General Secretary:

Whether the General Secretary was competent to issue the clarification sought by the Special Selection Committee; what exactly was intended by the communication dated



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21.06.2026; whether the communication merely provided information or prescribed the sequence to be followed by the Committee; whether the Committee correctly understood that communication; and whether the Committee acted consistently with the clarification after having specifically sought it.

26.33.10. **Sequence prescribed in the General Secretary's clarification:** Whether the steps mentioned in the General Secretary's communication were intended to be followed sequentially; whether the objective comparison and the prescribed tie-break mechanism were required to be completed before a Surf-Off could be considered; whether the Committee recorded any reason for departing from that sequence; and, if it considered the sequence ambiguous, whether it sought any further clarification before proceeding.



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26.33.11. **Deliberations of 21.06.2026:** Whether the minutes of the meeting accurately record the matters discussed; what issues remained unresolved when the Committee met on 21.06.2026; whether the members had completed the assessment required under the Policy; whether the voting exercise was undertaken before or after the prescribed criteria had been exhausted; and whether the deadlock was a deadlock on the sporting result or a deadlock on the method by which the result was to be determined.

26.33.12. **Voting and deadlock:** Whether the 2:2 voting result could, under the Selection Policy, be treated as a final failure of the Committee to select an athlete; whether the Policy prescribed any consequence for such a deadlock; whether the Committee was required to proceed to the next stage of the prescribed mechanism; and whether it was open to the Committee to recommend a Surf-Off



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without first completing the earlier stages.

26.33.13. Resignation of Ms. Nitisha Sethia:

Whether Ms. Nitisha Sethia resigned from the Committee during the selection process; the reasons recorded by her for such resignation; whether her objections related to the procedure adopted by the Committee; whether her resignation affected the quorum or composition of the Committee; whether the remaining members were legally entitled to continue; and whether the Committee ought to have obtained clarification regarding its constitution before proceeding further.

26.33.14. Effect of the resignation on subsequent proceedings:

Whether any deliberation or decision taken after the resignation was validly made by a properly constituted Committee; whether the resignation was recorded in the minutes; whether the Committee considered the concerns raised by the



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resigning member; and whether the remaining members had authority to recommend a Surf-Off after the Committee's composition had changed.

26.33.15. Recommendation for a Surf-Off:

Whether a Surf-Off was permissible under the Selection Policy in the circumstances which had arisen; whether the conditions for conducting a Surf-Off had been satisfied; whether the Surf-Off was intended to be an additional assessment or a substitute for the prescribed tie-break process; whether the decision to recommend it was supported by reasons; and whether both athletes would have been subjected to identical conditions, judging standards and evaluation criteria.

26.33.16. Timing of the proposed Surf-Off:

Whether the Policy contemplated a Surf-Off at that stage of the process; whether the time available before the prescribed deadline made such an exercise possible; whether the Committee had



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considered the timeline prescribed in Module 4; and whether the approaching deadline was used as a reason to bypass the earlier selection stages.

26.33.17. **Communications with the Indian Olympic Association:** Whether the SFI informed the Indian Olympic Association of the deadlock in sufficient detail; whether the SFI's request for additional time was properly placed before the competent authority; whether the IOA responded to that request; whether any extension was sought or could have been obtained; and whether any communication from the IOA authorised the SFI to depart from its Selection Policy.

26.33.18. **Communication of the selected names:** Whether the names were forwarded to the IOA before the selection process had been lawfully completed; who took the decision to forward the names; what material was placed before the person or body taking



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that decision; whether the IOA was informed that the Selection Committee remained divided; and whether the forwarding of the names was treated as a final selection despite the unresolved dispute.

26.33.19. Role of the Executive Council:

Whether the Executive Council's role under Module 5 was limited to ratification of provisional names approved by the Selection Committee; whether any provisional selection existed in respect of the second confirmed position; and, if not, whether the Executive Council had any independent authority to choose between the Petitioner and Respondent No.5.

26.33.20. The "Executive Call":

The circumstances in which the Executive Council took what has been described as the "Executive Call"; who proposed that course; what reasons were recorded for it; what material was considered; whether the members were informed



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that the Selection Committee had not made a provisional selection; whether the Executive Council considered the Selection Policy and the Appeals Panel's directions; and whether any provision of the Policy was identified as conferring power upon it to make an independent selection.

26.33.21. **Effect of the approaching deadline:**

Whether the impending deadline for submission of names materially affected the manner in which the SFI proceeded; whether sufficient time remained to complete the prescribed procedure; whether the SFI had taken timely steps to resolve the deadlock; and whether the urgency was the result of circumstances beyond the SFI's control or arose from the manner in which the selection process had been conducted.

26.33.22. **Whether the deadline justified departure from the Policy:** Whether, in the absence of an express provision permitting departure from the Policy, the



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approaching deadline could lawfully justify bypassing the prescribed selection mechanism; and whether any approval was obtained from the competent authority before such departure was made.

26.33.23. Possible bias or conflict of interest:

Whether any member of the Selection Committee had a personal, institutional or other interest which required disclosure or recusal; whether any allegation of bias was raised during the proceedings; how such allegation was dealt with; and whether the decision-making process contained adequate safeguards to ensure that both athletes were treated equally. The inquiry need not determine disputed allegations of personal bias merely on assertion; it should examine the underlying facts and the manner in which any such concern was addressed.

26.33.24. Equal treatment of the two athletes:

Whether the same data, criteria, events,



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weightages and standards were applied to the Petitioner and Respondent No.5; whether any advantage was given to either athlete by the manner in which the criteria were interpreted; and whether the Committee recorded sufficient reasons to explain the comparative assessment.

26.33.25. Reasons for the final decision:

Whether the Special Selection Committee recorded clear reasons for its conclusion; whether the Executive Council recorded reasons for selecting Respondent No.5; whether those reasons were based on the Selection Policy and material placed before the Committee; and whether the reasons, if any, were recorded contemporaneously or developed only after the decision was challenged.

26.33.26. Compliance with the Selection Policy as a whole: Finally, whether the Selection Policy was treated as a binding framework throughout the selection



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process or whether the procedure was altered at different stages to meet the immediate difficulty faced by the authorities; and, if there was a departure, whether the Policy contained any provision permitting it and whether the prescribed procedure for making such departure was followed.

26.33.27. Role of the Indian Olympic Association

26.33.28. Communication of the deadlock to the IOA: Whether the SFI informed the IOA, before forwarding the final names, that the Special Selection Committee remained deadlocked; what information was supplied to the IOA regarding the competing claims of the Petitioner and Respondent No.5; and whether the IOA was informed that the Selection Committee had not made a provisional selection in respect of the disputed position.

26.33.29. Request for additional time: Whether the SFI's communication dated



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22.06.2026 requesting additional time to resolve the deadlock and conduct a Surf-Off was received by the IOA; when it was received; who considered it; and whether any decision was taken upon that request.

26.33.30. **Response or non-response of the IOA:** Whether the IOA responded to the SFI's request before the names were finally forwarded; if no response was given, the reasons for such non-response; whether the IOA had the power to grant additional time or seek clarification from the SFI; and whether any internal consideration was undertaken before accepting or processing the names forwarded by the SFI.

26.33.31. **Knowledge of the procedural dispute:** Whether the IOA was aware that the selection process itself was disputed and that the Special Selection Committee had not arrived at a final decision; and, if so, whether the IOA



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took any steps to ascertain whether the Selection Policy had been followed before accepting the names.

26.33.32. **Acceptance of the names by the IOA:**

Whether the IOA had any procedure for examining the validity or completeness of nominations received from a National Sports Federation; whether that procedure was followed in the present case; and whether the IOA treated the names forwarded by the SFI as final despite being aware of the continuing deadlock.

26.33.33. **Consequence of the IOA's decision:**

Whether any action or inaction on the part of the IOA affected the ability of the SFI to complete the selection in accordance with the Policy; and whether the forwarding or acceptance of the names created the circumstances now relied upon by the Respondents to contend that the matter has become irreversible.

26.33.34. **Role of the Sports Authority of India**



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26.33.35. Receipt of the selection proposal:

Whether the SAI received the names or the selection proposal from the SFI; what material accompanied the proposal; and whether the SAI was informed of the deadlock within the Special Selection Committee.

26.33.36. Examination of the selection process:

Whether the SAI had any role under the applicable framework in examining or approving the selection; if so, whether that role was exercised in the present case; and whether the SAI examined compliance with the Selection Policy and the directions of the Appeals Panel.

26.33.37. Knowledge of the request for a Surf-Off:

Whether the SAI was informed that the SFI had proposed a Surf-Off and had sought additional time for that purpose; whether the SAI considered the request; and whether it communicated any view or direction to the SFI, IOA or any other concerned authority.



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26.33.38. SAI's response to the disputed

selection: Whether the SAI was aware that the Executive Council had selected Respondent No.5 after the Special Selection Committee had failed to reach a decision; whether the SAI examined the authority of the Executive Council to take such a decision; and, if it accepted or forwarded the selection, the reasons for doing so.

26.33.39. Interaction between the three authorities

26.33.40. Coordination between SFI, SAI and IOA: Whether there was adequate communication between the SFI, SAI and IOA after the Special Selection Committee became deadlocked; whether each authority understood the stage at which the selection process stood; and whether any authority proceeded on the assumption that another authority had already approved or completed the selection.



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26.33.41. **Responsibility for resolving the deadlock:** Whether, once the SFI informed the IOA and/or SAI of the deadlock, either authority was required or entitled to provide directions or seek clarification before the names were finalised; and whether the failure to take such action contributed to the subsequent selection being made without completion of the prescribed process.

26.33.42. **Effect of the deadline:** Whether the deadline of 23.06.2026 was known sufficiently in advance to all concerned authorities; what steps each authority took before that date; whether the delay arose from the conduct of the selection process; and whether the approaching deadline could lawfully justify departure from the Selection Policy.

26.33.43. **Responsibility for the final communication:** Who ultimately took the decision to communicate the names to the IOA; on what date and at what



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time; what information was available at that time; and whether the person or authority making the communication was aware that the Special Selection Committee had not completed the selection process.

26.33.44. Whether any authority treated urgency as overriding the Policy:

Whether the SFI, SAI or IOA proceeded on the basis that the approaching deadline permitted the prescribed selection process to be shortened or bypassed; and, if so, whether there was any provision in the governing rules which authorised such a course.

26.33.45. The aspects referred to above are illustrative and not exhaustive. The Inquiry Commission shall be at liberty to enquire into such other or further aspects as may arise in the course of the inquiry and as the Commission may consider necessary for a full, fair and comprehensive examination of the



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selection process and the role of the authorities and persons concerned.

26.34. The inquiry Commission may also examine the relevant minutes, attendance records, emails, communications, score sheets, ranking data, event results, performance assessments, video recordings, notes of the Selection Committee meetings, the General Secretary's clarification, the Appeals Panel's order, the Executive Council resolution and the communications exchanged with the IOA and SAI. These records would assist in determining not merely what decision was ultimately taken, but how and on what material that decision came to be taken.

26.35. The inquiry should, however, remain confined to the decision-making process and the conduct of the persons responsible for it. It should not become a fresh selection exercise. It should not determine whether the Petitioner or Respondent No.5 was the better athlete. The object is to determine whether the prescribed procedure was followed, why it was not followed if there was a departure, and what



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steps may be necessary to prevent a recurrence.

26.36. The inquiry commission may further consider whether the present Selection Policy requires clearer provisions for dealing with a deadlock, including the precise sequence of tie-break criteria, the effect of an equally divided Selection Committee, the circumstances in which a Surf-Off can be ordered, the role of the General Secretary, and the circumstances, if any, in which the Executive Council may act without a prior provisional selection by the Selection Committee.

26.37. Such an inquiry would also provide an opportunity to examine whether the Selection Policy itself requires greater clarity. The present dispute has exposed difficulties concerning the manner in which a deadlock is to be resolved, the relationship between the Selection Committee and the Executive Council, and the circumstances in which a Surf-Off may be conducted.

26.38. The inquiry commission may therefore, if considered appropriate, suggest changes to the



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Selection Policy so that similar disputes do not arise in future. In particular, the Policy may require clearer provisions regarding the order of the tie-break process, the consequence of a deadlock in the Selection Committee, the role of the Executive Council in such a situation, and the circumstances in which a Surf-Off may be directed. Necessary policies for selection, working off the federation, bye laws etc., could also be examined by the Commission and if necessary to reconsider such amendments as may be necessary.

26.39. While examining the Asiad's selection policy, which is the subject matter of the above WP, the Commission may also examine the selection policies of athletes for any other tournaments, as well as such other policies, as may be applicable to athletes during the administration of Respondent No.4 SFI.

26.40. **Nature of the inquiry:** The inquiry should not be treated as a finding of personal guilt against any member of the Selection Committee or Executive Council. It should be a fact-finding exercise to ascertain how the selection process



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was conducted and why the Policy was not followed in the manner required.

26.41. Every person whose conduct is examined must be given notice of the matter concerning him or her and a fair opportunity to explain the circumstances. No adverse conclusion should be reached without giving the concerned person an opportunity of being heard. If despite notice having been issued the concerned person does not appear before the enquiry commission, the commission would be free to draw such inference as it may deem just.

26.42. The above are but some items that could be considered by the commission and are indicative, the one man enquiry commission may consider such other relevant aspects as it may deem just.

26.43. This Court therefore reaches the following conclusion. The selection of Respondent No.5 as the second confirmed athlete and the consequential placement of the Petitioner as the first reserve athlete is vitiated by the defects already found under Points No.2, 3 and



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4. Ordinarily, such a selection would call for interference.

26.44. However, having regard to the imminent Asian Games, the stage already reached in processing the names, the communication of the names to the concerned international authorities, and the real possibility that a change at this stage may affect India's quota and representation in men's surfing, the Court considers it inappropriate to quash the selection or recall the list at this stage.

26.45. This limited restraint is based only on the practical consequences of disturbing the selection at this stage. It is not an approval of the selection process, nor does it mean that the Petitioner had no legitimate grievance. The Court has already found the process to be defective.

26.46. At the same time, the persons responsible for the process cannot treat the Court's decision not to disturb the final list as an endorsement of their actions. A National Sports Federation which frames a Selection Policy is expected to follow it. The urgency of an approaching



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sporting event cannot become a reason for ignoring the rules which govern the selection.

26.47. The Court is therefore of the view that the appropriate relief, in the circumstances of the present case, is to decline to disturb the present selection while directing an independent inquiry into the manner in which the selection process was conducted. The inquiry will also provide an opportunity to identify changes that may be required in the Selection Policy to prevent a similar situation in future.

26.48. Before parting this court makes it clear that nothing in this order shall be understood as expressing any opinion, one way or the other, on whether the Petitioner or Respondent No.5 is the better athlete, or on who ought, as a matter of sporting merit, to occupy the second confirmed position; that question has not been decided by this Court, is not to be answered by the inquiry directed above, which is confined to the conduct of the decision-makers and not the comparative merit of the athletes, and nothing in this order shall be read or relied upon by



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either athlete, or by the SFI, as a finding one way or the other on that question.

26.49. This Court is also conscious that the competitive life of most sportspersons is short, and that a sportsperson has only a limited number of years in which to make full use of his or her youth, fitness and form to achieve what he or she is capable of achieving; unlike many other pursuits, that window, once lost, does not return. Events such as the Asian Games and the Olympic Games do not recur from year to year, but only once in four years, and the non-selection of a deserving and qualifying sportsperson from such an event, whether on account of an erroneous process or otherwise, is capable of causing consequences, both to the individual sportsperson and to the country's representation, that cannot always be undone by a later correction. It is this consideration, among those already recorded, that has weighed with this Court in declining, at this stage, to disturb the selection presently in place.



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26.50. Since this Court has not interfered with the selection of the athletes presently forwarded for the Asian Games, this Court places on record its good wishes to Respondent No.5 and to every other member of the Indian surfing contingent selected for the Games as also to the entire Indian Contingent representing various sporting disciplines to the Asian Games, and hopes that they compete with distinction and return victorious, with medals, holding the national flag high.

26.51. This Court reiterates, for the avoidance of any doubt, that nothing in this order is a comment upon, or a finding as to, the performance or the ability of Respondent No.5 or of any other selected sportsperson; the findings recorded in this order concern only the process by which the decision was made, and not the decision itself, or the sportsperson who is its beneficiary. The Petitioner and Respondent No.5 are both accordingly at liberty, and are indeed advised, to proceed with their training and, as the case may be, their participation, without being in any manner influenced or affected by the pendency or the outcome of these proceedings.



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26.52. This Court cannot conclude its consideration of this Point without expressing its anguish that sportspersons, whose energies ought to be directed entirely towards competing in their chosen sport, find themselves instead compelled to approach a Court of law, and to remain embroiled in litigation of this nature, on account of lapses that are attributable not to them, but to the very Federation that exists to serve them. That such proceedings should have become necessary at all is a matter of regret, and this Court trusts that the directions contained in this order will make a recurrence of such a situation less likely in the future.

26.53. This court answers point No.5 by holding that the selection of Respondent No.5 as the second confirmed athlete and the consequential placement of the Petitioner as the first reserve athlete are vitiated by the illegalities found under Points No.2, 3 and 4. However, considering the advanced stage of the Asian Games arrangements and the possible prejudice to India's participation if the present selection is disturbed, the Court declines to quash the selection or recall the names already



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forwarded. Instead, an independent fact-finding inquiry shall be conducted into the manner in which the Special Selection Committee and the Executive Council proceeded with the selection.

27. **Answer to Point No.6: What order?**

27.1. In view of the findings recorded and the answers given to the Points for Determination above, this Court passes the following

ORDER

- i. The writ petition is ***partly allowed***, in the following terms.
- ii. This Court records that the decision of Respondent No.4 dated 23.06.2026 (Annexure-H), in so far as it selects Respondent No.5 as the second confirmed athlete and places the Petitioner as the first reserve athlete, is vitiated by the illegalities recorded under Points No.2, 3 and 4 of this order and would, in the ordinary course, be liable to be quashed. This Court places on record its disapproval of the manner in which Respondent No.4 conducted the fresh selection process, for



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the reasons recorded under Point No.5, and makes it clear that Respondent No.4, as a public institution discharging public duties, is required to act strictly in accordance with law and its own published Selection Policy, and shall not permit a recurrence of the infirmities recorded in this order. However, for the reasons recorded under Point No.5, this Court declines to issue a Writ of Certiorari quashing that decision, and declines to direct Respondent No.3 to recall the forwarded list of selected athletes.

- iii. For the like reasons, this Court declines to issue a Writ of Certiorari quashing the Selection public summaries dated 20.06.2026 and 21.06.2026 (Annexures E and F). Prayer (ii) is accordingly not granted in the form sought.
- iv. The prayer for a direction to Respondent No.4 to constitute a fresh selection committee to select the athletes afresh, in place of the impugned selection, is not granted, for the reasons recorded under



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Point No.5. The concerns underlying this prayer, namely, that the selection be conducted properly and in accordance with the Selection Policy in future, are addressed through the inquiry directed, which extends to suggesting appropriate changes to the Selection Policy and the SFI's working generally.

- v. For the reasons recorded under Point No.5, this Court directs an inquiry into the conduct of the members of the Special Selection Committee who participated in the meetings of 16.06.2026 and 21.06.2026, and of the members of the Executive Council of the SFI who took the decision described as the "Executive Call" on or about 23.06.2026, which would include aspects of why the Selection Policy framed by the SFI, and the directions of the Appeals Panel dated 16.06.2026, were not followed in the manner recorded under Points No.2, 3 and 4 of this order.
- vi. This Court, prior to the passing of this order, caused enquiries to be made of



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Hon'ble Mr Justice R V Raveendran, former Judge of the Supreme Court of India, as to his Lordship's willingness to conduct the inquiry, and his Lordship has consented to do so. This order shall itself constitute sufficient authority for his Lordship to proceed with the inquiry, without any further reference to this Court being necessary for that purpose. The Registrar General of this Court shall, within one week from today, communicate a certified copy of this order, together with a copy of the entire records of this matter to Hon'ble Mr Justice R V Raveendran.

- vii. The one man committee of Hon'ble Mr Justice R V Raveendran, shall be entitled to such secretarial assistance, infrastructure and honorarium as his Lordship may fix, having regard to the nature and duration of the inquiry, and shall further be at liberty to avail the assistance of such other persons, including experts in sports law and in the administration of national sports federations, as his Lordship may consider



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necessary for the proper conduct of the inquiry, all of which cost shall be borne by Respondent No.4-SFI. Costs of at least 6 sittings so fixed shall be deposited in advance, from time to time.

- viii. Respondent No.4, and every member of its Selection Committee, Special Selection Committee and Executive Council whose conduct falls within the scope of the inquiry, shall extend full cooperation, including production of all records, minutes and correspondence called for. Respondent Nos.1, 2 and 3 shall extend such cooperation as may be required of by Hon'ble Mr Justice R V Raveendran for the conduct of the inquiry.
- ix. The enquiry shall be conducted at Bangalore at such place as may be fixed by Hon'ble Mr. Justice R. V. Raveendran. At the discretion of His Lordship, the enquiry may also be conducted, wholly or partly, in hybrid mode through online proceedings. In the event any travel is necessitated for the purpose of conducting



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the enquiry, the expenses towards such travel and stay at a suitable five-star hotel shall be borne by Respondent No. 4-SFI.

- x. All documents, records and other materials as may be required for the purposes of the enquiry shall be produced and placed before His Lordship at Bangalore, irrespective of the place where such documents, records or materials are stored, maintained or otherwise kept.
- xi. Hon'ble Mr. Justice R. V. Raveendran shall be at liberty to formulate and adopt such procedure as His Lordship may consider appropriate for the conduct of the enquiry. Any ruling, direction or decision of His Lordship on any procedural or other matter arising during the conduct of the enquiry shall be final and binding upon all parties to the enquiry.
- xii. The enquiry report may be submitted preferably by 01.02.2027 to the Registrar General of this Court, with copies to the Ministry of Youth Affairs and Sports, the Indian Olympic Association, and SFI.



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xiii. The inquiry is in the nature of a fact-finding and advisory exercise; no finding recorded in this order shall be treated as a pre-determination of its outcome, and nothing in this order or in the inquiry shall be read as a finding on the comparative sporting merit of the Petitioner and Respondent No.5.

xiv. Though the above matter is disposed of, to consider the enquiry report submitted, re-list on **12.02.2027**.

This Court has been assisted by Ms.Harshada, Law Clerk, in reviewing this Judgment.

**SD/-
(SURAJ GOVINDARAJ)
JUDGE**

SR
List No.: 2 SI No.: 2