

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.24836 of 2017

Date of Decision: November 01, 2017

Prasanta Karmakar

. . . . Petitioner

Vs.

Paralympic Committee of India and others

. . . . Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Ramesh Sindhar, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed for allowing the petitioner to participate in XVII-National Para Swimming Championship which is scheduled to be held in Udaipur, Rajasthan w.e.f. 4.11.2017 to 08.11.2017.

Learned counsel for the petitioner has submitted that the petitioner is an Arjuna Awardee who has not been sent to participate in the National Para Swimming Championship.

During the course of hearing, learned counsel for the petitioner has pointed out that in order to participate in the National Para Swimming Championships online entry has to be made by the State/UT Para Swimming Association. The said association has to first conduct their State Championships or selection trials for selecting their swimmers/teams. The petitioner was not the part of the selection process much less the part of the trial, therefore, he is neither sent as an individual nor in team for the purpose of National Para Swimming Championship.

Learned counsel for the petitioner has argued that there was no notice to him regarding the trial, therefore, he could not participate in the trial nor he was asked to participate though he has been in touch with the respondents-Association from the month of October in this regard.

I have heard learned counsel for the petitioner and after examining the record, am of the considered opinion that no relief can be given to the petitioner at this stage because he had approached this Court at a belated stage as the championship is to be held from 4.11.2017 to 08.11.2017 and the respondents might have already sent their teams for the championship after due selection of which the petitioner was not a part at any time. Since, the petitioner has approached this Court late, therefore, due to paucity of time no relief can be given to him as no provisional permission can be given to participate in the championship because it cannot be held that he is better than the selected candidate.

With these observations, the present petition is hereby disposed of.

November 01, 2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No