

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP-12939-2021 (O&M)
Date of Decision: 26.08.2021**

MEENA

..... Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Jagjeet Beniwal, Advocate
for the petitioner.

Mr. Sharan Sethi, Addl., A.G., Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Prayer in this writ petition is for directing respondent no.2 to issue a sports gradation certificate to the petitioner as per her participation in 43rd Senior National Throw Ball Championship held at late Dau Vasudev Chandrakar Cricket Stadium, Bhilai, Chhattisgarh from 19.03.2021 to 21.03.2021.

Learned counsel for the State, on instructions from Mr. Azad Singh, Superintendent, Department of Sports and Youth Affairs, Head Office, Panchkula, on 20.08.2021, had submitted that game in question i.e. throwball is not recognized by Indian Olympic Association and Ministry of Youth Affairs & Sports, Government of India, therefore, sports gradation certificate cannot be issued to petitioner. Learned counsel for the petitioner, however, responded by saying that requisite sports gradation certificate had

been issued to some candidates for the game in question i.e. throwball. Matter had been adjourned at request of learned counsel for the respondents to file a specific reply.

Today, learned counsel for the State has circulated a copy of communication dated 11.08.2021 from the Director, Department of Sports & Youth Affairs, Haryana, Panchkula to all the Deputy Director Sports & Youth Affairs Officers in the State as well as all District Sports & Youth Affairs Officers. Relevant part of the communication reads as under:-

“On the above cited subject you are informed that Sh. Virender Singh Nyol S/o Sh. Ram Singh, resident of village Rypana Jattan, P.O. Shakar Mandori, Tehsil Nathuhari Chopta, Distt. Sirsa, Haryana had sent a Legal Justice Demand Notice through his counsel on 29.03.2021 to the department. The competent authority ordered the departmental committee to conduct preliminary enquiry in regard to the Legal Justice Demand Notice. The departmental committee submitted the enquiry report to the competent authority on 26.07.2021. The competent authority on the basis of order in enquiry report got issued the office order vide Endst No. Sports-M&C-2021/21749-75 dated 05.08.2021 through the concerned branch. Thereafter, the facts came to the knowledge of competent authority that according to the letters dated 26.11.2020 and 08.06.2021 of Indian Olympic Association and Ministry of Youth Affairs and Sports, Government of India that The sport Throwball is not an affiliated member of Indian Olympic Association and for the sport of Throwball, no National Sports Federation is recognized with Ministry of Youth Affairs & Sports, Government of India.

Therefore, in view of the above explained position, office order issued vide Endst No. Sports-M&C-2021/21749-75 dated 05.08.2021 is withheld with immediate effect. Therefore, all Deputy Director Sports and District Sports & Youth Affairs Officers of the State are directed not to issue any Sports Gradation Certificate in Throwball game on the basis of department letter dated 05.08.2021. If any Sports Gradation Certificate has been issued by you to any sports person in Throwball game, then cancel it with immediate effect. For any default, they will be responsible themselves. Compliance of these orders must be done on top priority basis.”

In this view of the matter, learned counsel for the petitioner seeks to withdraw this writ petition with liberty to petitioner to challenge communication dated 11.08.2021, if so advised.

Dismissed as withdrawn with liberty as aforementioned.

26.08.2021
Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No