

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

120

CWP-21829-2022

Date of decision: 21.09.2022

UMESH KUMAR YADAV

.....Petitioner

VERSUS

WUSHU ASSOCIATION OF INDIA AND ORS.

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Sankalp Gehlawat, Advocate
for the petitioner.

Mr. Sudhir Nar, Senior Panel Counsel
for respondent No.1.

Mr. Mohit Garg, Advocate
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

The present writ petition has been instituted seeking intervention of this Court to direct the respondents to allow the petitioner to participate in the sport of WUSHU at the National Games, 2022 to be held in Gujarat. A further prayer had been made for issuance of directions to the respondents to consider and pass a speaking order on the representation dated 16.09.2022 (Annexure P-8) within a period of one week.

Briefly summarized the case of the petitioner is that he is a player of National Repute in the sports of WUSHU and had joined Panjab University, Chandigarh as a Coach on temporary basis in 2016. He claims to have represented the Union Territory, Chandigarh for 10-11 years in various tournaments around the nation. He also

participated in the 30th Senior National WUSHU (Men-Women) Championship at Bhopal representing U.T. Chandigarh. He claims that for the purposes of allocation and entry in the National Games, 2022. the WUSHU Association of India (respondent No.1) generated a list of athletes to participate in the event of 36th National Games, 2022. The name of the petitioner has been reflected in the sports prospectus to participate in the event of WUSHU Games after due recommendation of respondent No.1. However, the WUSHU Association, Chandigarh has not forwarded the name in the list of selected candidates and the acts of the Chandigarh Association were mischievous inasmuch they did not publish list of selected candidates so as to catch the players unaware and to deprive them any opportunity to raise a grievance, if any.

He submits that the petitioner is eligible to represent the U.T. Chandigarh as per the rules published by the Indian Olympic Association and as per the qualification mentioned in the said rules. The criteria is based on merits and eligibility has to be seen in terms of the domicile. An athlete can represent the State/U.T. where he or she have their permanent residence/domicile. They can also represent the State/U.T. in which he or she has been working/residing for last 06 months preceding the opening ceremony of the National Games. He places reliance on the Aadhar Card in which the address of the petitioner is duly reflected as Chandigarh and the fact that he had been continuously representing U.T. Chandigarh for the last 10-11 years.

Notice of motion.

Mr. Mohit Garg, Advocate appears and accepts notice on

behalf of Respondent No.2-WUSHU Association, Chandigarh.

Mr. Sudhir Nar, Senior Panel Counsel, appears and accepts notice on behalf of respondent No.4.

In view of the order which is proposed to be pass by this Court, effecting service on respondent No. 1, 3 and 5 is dispensed with.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied in case respondent No.1 i.e-WUSHU Association of India is called upon to pass a reasoned and speaking order on the representation dated 16.09.2022 (Annexure P-8) dated 16.09.2022 within a period of one week. The aforesaid prayer is not objected to by the respondents present in Court.

The present petition is disposed of at this stage, without commenting on the merits of the present case and directing the respondent No.1 to pass a speaking order on the representation dated 16.09.2022 sent by the petitioner within a period of 01 week of receipt of certified copy of this order after affording opportunity of hearing to the respective parties.

The petition is accordingly disposed off.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 21, 2022

Vishal sharma

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