

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

104+230

CM-9846-CWP-2023 IN/AND
CWP-7164-2021 (O&M)
Date of Decision: 31.08.2023

KABADDI FEDERATION OF INDIA

... Petitioner

VERSUS

UNION OF INDIA AND OTHERS

... Respondents

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

Present: Mr. Ravi Sharma, Advocate for the petitioner.

Mr. Sudhir Nar, Sr. Panel Counsel
for respondents No.1-U.O.I.

None for respondents No.2 & 3.

VINOD S. BHARDWAJ, J. (ORAL)

CM-9846-CWP-2023

This is an application for placing on record the replication to the
reply filed by respondent No.1, alongwith Annexures P-11 to P-13.

For the reasons mentioned in the application, the same is allowed
subject to all just exceptions.

The replication alongwith the annexures is ordered to be taken on
record.

Registry is directed to tag the same at an appropriate place of the
paper book and page mark the same.

MAIN CASE

The present petition has been filed for seeking issuance of
directions to the respondents to grant recognition to the petitioner-Federation as

National Sports Federation in the game of Kabaddi, in accordance with the provisions of National Sports Development Code of India, 2011.

Learned counsel for the petitioner contends that the petitioner-Federation is a duly registered society under the Society Registration Act, 1860 to promote and popularize the game of Kabaddi in the country. It is contended that the petitioner-Federation has been carrying out activities for promotion of the aforesaid sport. A procedure for seeking recognition as National Sports Federation has been provided under Clause 8 of the National Sports Development Code of India, 2011. An application for registration had accordingly been submitted by the petitioner. However, another similar federation known as Amateur Kabaddi Federation of India has been illegally recognized by respondent No.3-Indian Olympic Association, which has indulged in numerous litigations, thus tarnishing the image of National Sports Federation and is also prejudicially affecting the sportspersons. A prayer was thus made that the respondents should take appropriate decision on the claim of the petitioner for being recognized as the National Sports Federation in the game of Kabaddi.

An affidavit on behalf of the Union of India had been filed through Ashok Vidyarthi, Under Secretary, Ministry of Youth Affairs and Sports, Government of India, (hereinafter to be referred to as 'the Ministry'), wherein it is averred that there is no right vested or accrued in favour of the petitioner-Federation for seeking recognition from the respondents. The Ministry has already granted recognition to the Amateur Kabaddi Federation of India as the National Sports Federation for promotion and development of sport of Kabaddi in the Country and Indian teams have been repeatedly sent by the aforesaid National Sports Federation to various international events.

The petitioner-Federation had earlier approached this Court by filing CWP-27222-2018, which was disposed of with a direction that the representation submitted by the petitioner-Federation may be decided by the respondent-Authorities. Even though a direction had been issued to decide the representation, however, no such representation had been submitted by the petitioner-Federation. A legal notice had been received from the petitioner-Federation, wherein it claimed to have submitted its application for recognition as National Sports Federation on 02.02.2017 to the Ministry and reminders were submitted thereafter. It is submitted that the letter requesting for recognition as National Sports Federation was duly examined and the reply thereof was sent by the Ministry. It was also pointed that Amateur Kabaddi Federation of India has already been recognized as National Sports Federation for promotion and development of Kabaddi in the Country and that there was no merit in the claim submitted by the petitioner. Even through the claim of the petitioner was rejected and decision conveyed, however, the petitioner never challenged the said decision.

Notwithstanding that the said reply had been submitted on 20 April, 2021, however, no rejoinder/replication was filed controverting the same.

It is thus evident that the claim of the petitioner for recognition had been declined by the respondent-U.O.I. and that notwithstanding communication of the said orders, no challenge has been raised thereto. It is also not the case of the petitioner that there can be more than one National Sports Federations and that in the absence of any challenge to recognition order of the other Federation or the order regarding claim of the petitioner, the prayer made in the present petition cannot be entertained and/or allowed.

The present writ petition is accordingly dismissed for the above said reason. The petitioner may, if so advised, pursue remedies in accordance with law.

Any other misc. application(s) also stand(s) disposed of accordingly.

AUGUST 31, 2023
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(VINOD S. BHARDWAJ)
JUDGE

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