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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 23rd February, 2023

+ **W.P.(C) 2406/2023 & CM APPLs. 9244-45/2023**

ROHIT KUMAR & ANR.

..... Petitioners

Through: Mr. Rahul Mehra, Sr. Advocate with
Mr. Hemant Phalphev, Mr. Chaitanya
Gosain & Mr. Anand Thumbagil,
Advocates. (M:8592904220)

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms. Arunima Dwivedi, CGSC with
Ms. Pinky Pawar & Mr. Aakash
Pathak, Advocate for R-1 & 3.
(M:8448438901)
Mr. Nandita Rao & Mr. Kunal
Prakash, Advocates for R-2.

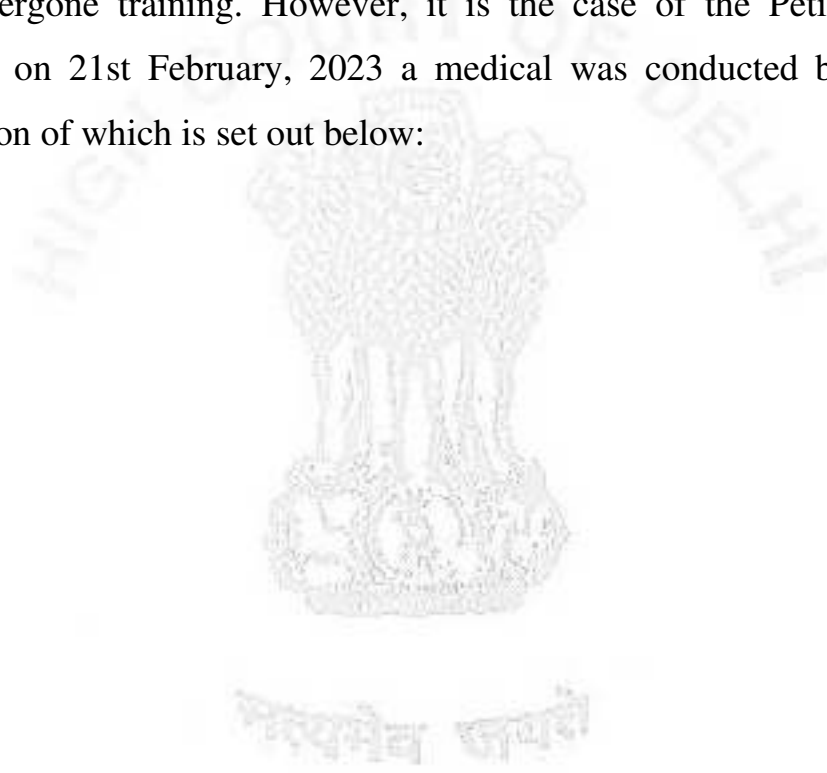
CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J.(Oral)

1. This hearing has been done through hybrid mode.
2. The matter has been circulated in the typed supplementary list and taken up for hearing at 5.30 pm.
3. This petition has been filed by Petitioner No.1- Mr. Rohit Kumar, S/o Mr. Surender Singh and Petitioner No.2- Mr. Narender S/o Mr. Hoshiyar Singh, who are both Kabaddi players, who were selected for the preparation of Junior World Championship (Boys) which is scheduled to commence on 26th February, 2023 at Urmia, Iran.
4. The Petitioners' case is that they were trained at the coaching camp organized by the Respondent No.3- Sports Authority of India (SAI) from 23rd

January, 2023 to 12th February, 2023. On 9th February, 2023, during practice at the SAI camp the Petitioners suffered minor injuries. Petitioner No. 1 suffered an injury on the wrist and Petitioner No.2 suffered an injury around his abdomen. The Petitioners got their medical check-up done with the doctor from SAI. As per the prescription dated 9th February, 2023, the Petitioners were advised '*Review after ten days*'. Admittedly, after the review, the Petitioners were sent to the training camp in Thyagaraj stadium, Delhi and have undergone training. However, it is the case of the Petitioners that suddenly, on 21st February, 2023 a medical was conducted by SAI, the prescription of which is set out below:



 भारतीय खेल प्राधिकरण SPORTS AUTHORITY OF INDIA राष्ट्रीय खेल विज्ञान और अनुसंधान केन्द्र NATIONAL CENTRE FOR SPORTS SCIENCE AND RESEARCH (NCSSR) खेल चिकित्सा विभाग SPORTS MEDICINE DIVISION			
नाम : <u>ROHIT KUMAR.</u> पंजीकरण की तिथि : DATE OF REGISTRATION : आयु : <u>17yrs</u> AGE : पता : <u>HARYANA</u> ADDRESS : SPORTS DISCIPLINE/EVENT : <u>KARATE (Kt-Sat. Gaudhianagar)</u>		विश्व का नाम : BORN : लिंग : SEX : <u>Male</u> पहचान सं. : ID NO. :	
CASE SHEET			
DIAGNOSIS			
Case of Pain & Swelling in Dorsum of (RP) hand on 29-02-2023. Case Revisited on "21-02-2023" as advised after rest. ME:- No localized Swelling, Pain and Tenderness @ Present. No fresh Comp. Laints @ present. Adv:- "Return for Graduate Training"			
INVESTIGATIONS			
 Signature: <u>Dr. Jagan</u> Name of Doctor: <u>Dr. Jagan</u> Date: <u>21-02-2023</u>			
इंदिरा गांधी स्टेडियम परिसर, (N1), द्वार सं. 1, नवदीप आईटीओ, नई दिल्ली-110002 INDIRA GANDHI STADIUM COMPLEX, (N1), GATE NO. 1, NEAR ITO, NEW DELHI-110002 Website : www.sportsauthorityofindia.nic.in			

Signature Not Verified

Digitally Signed
By: DEVANSHU JOSHI

Signing Date: 23/02/2023 21:28

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		भारतीय खेल उपकरण SPORTS AUTHORITY OF INDIA राष्ट्रीय खेल विज्ञान और अनुसंधान केंद्र NATIONAL CENTRE FOR SPORTS SCIENCE AND RESEARCH (NCSSR) खेल चिकित्सा विभाग SPORTS MEDICINE DIVISION			
नाम : NARENBER. पंजीकरण की तिथि : DATE OF REGISTRATION : 09-02-2023 उम्र : AGE : 19 yrs. Male लिंग : SEX : Male पता : ADDRESS : HARYANA खेल प्रतियोगिता : SPORTS DISCIPLINE/EVENT :		रोल का नाम : ROLL NO : श्रेणी : GRADE : पंजीकरण नं. : REGISTRATION NO : आई नं. : ID NO :		"KABADI" (Rt-Sai-Gandhivijay) CASE SHEET	
DIAGNOSIS		Case of Ankle strain & complaints of Swelling and Pain in left ankle craft on 09-02-2023. * Case Reviewed on 21-02-23 as advised after Rest. * Yes- No Localized Swelling, Pain, and Tenderness @ present. - No fresh Complaints @ Present. Adv:- * RETURN FOR GRADUAL TRAINING *			
INVESTIGATIONS		 Signature Name of Doctor Date 21-02-2023			
इंदिरा गांधी स्टेडियम कॉम्प्लेक्स (ए1), द्वार संख्या 1, राजवटीक आईटीआई, नई दिल्ली-110002 INDIRA GANDHI STADIUM COMPLEX, (A1), GATE NO. 1, NEAR ITO, NEW DELHI-110002 Website : www.sportsauthorityofindia.nic.in					

5. In view of this prescription, the Petitioners were informed by their coach last evening that they would not be joining the Junior World Championship (Boys) team. Hence the present petition.
6. Mr. Rahul Mehra, Id. Sr. counsel appearing for the Petitioners submits

that both the Petitioners are in proper health without any injury and they have been coached and trained for the world cup. It is just on the eve of their departure for the world cup in Iran that such information has been received by them. In fact, according to the Petitioners, the Respondent no.2 - Amateur Kabaddi Federation of India (AKFI) is currently being administered by Justice (Retd.) S P Garg, who was also not informed of the fact that the Petitioners were dropped from the team.

7. On behalf of SAI, Ms. Arunima Dwivedi, Id. Counsel submits that the SAI commends both the Petitioners as being excellent players in Kabaddi. However, in view of the injury that they have suffered, in order to ensure that there is no permanent injury and that the players are duly rested, the doctor had suggested that they be not taken to the world cup this year.

8. On behalf of the Amateur Kabbadi Federation of India, Ms. Nandita Rao, Id. counsel submits that they have been informed only on 22nd February, 2023 by email by Mr. Shiv Sharma, Executive Director teams SAI as under:

“Sir,

*This has reference to the medical report of two Jr Kabaddi players i.e Narender and Rohit, received from National centre for Sports Science and research, where they have been advised to **return for gradual training.***

*2. In this regard, **without proper recovery**, both players **could not** participate in the upcoming World championship to be held at Urmia from 26th February to 5th March, 2023.*

3. In this regard, stand by players may be included in the contingent and necessary arrangements may be done for the same.”

9. A perusal of the above communication dated 22nd February, 2023 shows that it merely states that without proper recovery the players ‘**could**

not participate in the upcoming world cup. A perusal of the prescription on record also shows that the players do not have any pain or any complaints. The doctor has merely given a remark '**return for gradual training**'.

10. Considering that these players are part of the junior team which has been selected by Respondent No.2, they may not even qualify in future to be participating in the junior team inasmuch as they may be age barred owing to the fact that one of the Petitioners is 17 years of age and the other Petitioner is 19 years of age.

11. The opportunity to play in the World Cup is an opportunity which every player looks forward to in his sporting career. Both the Petitioners are in their late teenage and a decision to not send them to represent India, that too at such a late stage, without proper grounds, would be demoralising not only to the Petitioners but also to the team as a whole. The prescriptions for both players is identical and does not inspire the confidence of the Court. Even post the injury and rest for a few days, they have undergone the requisite training and coaching. The Petitioners have also recovered as per the doctor who has suggested only gradual training. Both the Petitioners are present in Court along with their fathers who are willing to send them to participate in the World Cup.

12. The Petitioners having been selected for the World Cup, in this background, this Court is of the opinion that the Petitioners ought to be permitted to participate and represent India in the Junior World Championship (Boys), in Iran. Ordered accordingly.

13. In view of the above order, the Id. Administrator as also Sports Authority of India are requested to take immediate steps for getting the requisite documentation in place and take all necessary steps for enabling the

Petitioners to travel to Iran along with the team.

14. The present petition is allowed in the above terms. All pending applications are disposed of.

15. Order be uploaded forthwith.

PRATHIBA M. SINGH
JUDGE

FEBRUARY 23, 2023

dj/sk

