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

Date of decision: 17th April, 2023

+ **W.P.(C) 9896/2021 & CM APPL. 30464/2021**

CURLING ASSOCIATION OF INDIA

..... Petitioner

Through: Mr. Siddharth Batra, Mr. Rhythm Katyal, Ms. Archana Yadav, Ms. Shivani Chawla, Mr. Chinmay Dubey & Mr. Ashutosh Chugh, Advocates (M- 9958587199)

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms. Arunima Dwivedi, CGSC with Ms. Pinky Pawar, Mr Aakash Pathak, Advocates for UOI.
Mr. Hemant Phalpher, Advocate. (M: 9810870982).

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner Association- Curling Association of India which claims to be formed for the promotion of the sport of 'Curling' in India. The Petitioner has filed this petition seeking quashing of the letter dated 28.05.2019 issued by the Secretary General of Indian Olympic Association to the World Curling Federation, endorsing the Respondent No.5- Curling Federation of India as the National Sports Federation for Curling in India.
3. It is the case of the Petitioner that it had been recommended to the World Curling Federation ('WCF') for grant of recognition by the

Respondent No. 2- Indian Olympic Association ('IOA ') in 2013 and has been making efforts to get recognition from World Curling Federation. However, the Petitioner Association became aware that the IOA had given a letter endorsing the Respondent No.5- Curling Federation of India (CFI) to the WCF. It is claimed by the Petitioner that the endorsement to CFI by the IOA was without any authority.

4. The petition was first listed on 8th September, 2021 and this Court had directed the IOA to consider the annexures filed with this petition as also specifically the correspondence addressed and received from the WCF. The relevant extract of the said order is extracted as under:

“9. It is accordingly directed that in case, respondent no.2 in its Executive Committee deliberates on Agenda no.16, it will take into consideration the annexure forming part of the present petition more specially, the correspondence addressed and received from the World Curling Federation.”

5. Vide order dated 31st January, 2023, this Court had directed the Respondent No. 2- Indian Olympic Association ('IOA ') to consider the representation of the Petitioner and take a decision on all pending aspects. The relevant extract of the said order is extracted as under:

“4. Ld. counsel for the Respondent No.2 submits that on 16th January, 2023 a fresh representation has been received from the Petitioner in terms of the previous orders of this Court.

5. Let the decision be taken by the IOA on all these aspects and the decision be placed on record by the next date of hearing. Consideration be given to this matter within the next four weeks and a report be placed on record by the next date of hearing.”

6. The Indian Olympic Association was to consider all aspects and take a decision take a decision on the question as to which of the bodies i.e., Curling Association of India, Aurangabad, Maharashtra or Curling Federation of India, Srinagar is to be recognised as the National Sports Federation (NSF) for the sport of Curling. However, despite repeated opportunities, it appears that due to the reconstitution of the IOA and other reasons, there has been a delay in consideration of this issue.

7. The Court has heard Id. Counsels and perused the record. In order to expedite the matter, it is directed that the representative of the Petitioner and Respondent No.5 shall appear before the IOA on 17th May, 2023. After hearing the representatives of the respective organizations, the IOA shall take its decision as to which of the bodies has been recognised as the NSF. While making the said decision, the issue raised in paragraph 3 of order dated 31st January, 2023 shall also be considered by the IOA. The said order is extracted hereunder for the sake of ready reference:

“1. This hearing has been done through hybrid mode.

*2. Ld. counsel for the Respondent No.2 submits that he has been engaged recently, since the new IOA has been constituted under the orders of the Supreme Court in **Special Leave to Appeal (C) No(s).14533/2022** titled **‘Indian Olympic Association vs. Union of India & Ors.’**, he wishes to seek instructions in the matter and comply with the previous order.*

3. Ld. counsel for the Petitioner points out that the letter dated 29th October, 2012 which forms the basis of the recognition given to Respondent No.5 has two different versions one at page 203 and one at page

281 of the digital record of this Court. The same ought to be looked into by the IOA.

4. Ld. counsel for the Respondent No.2 submits that on 16th January, 2023 a fresh representation has been received from the Petitioner in terms of the previous orders of this Court.

5. Let the decision be taken by the IOA on all these aspects and the decision be placed on record by the next date of hearing. Consideration be given to this matter within the next four weeks and a report be placed on record by the next date of hearing.

6. List on 17th April, 2023.”

8. All remedies of the parties in respect of the decision of the IOA are left open.

9. With these observations, the petition, along with all pending applications are disposed of.

APRIL 17, 2023

dj/am

PRATHIBA M. SINGH, J.