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

+ W.P.(C) 14795/2022 & CM APPLs. 45479/2022, 55493/2022  
55496/2022

PUNE DISTRICT ATHLETIC ASSOCIATION .....Petitioner

Through: Mr. Amit Saxena, Adv.

Versus

UNION OF INDIA & ORS

.....Respondents

Through: Mr. Vineet Dhanda, CGSC with Mr.  
Abhishrut Singh and Mr. Aditya  
Kashyap, Advs. for UOI  
Mr. Vikash Singh, Adv. for DDA.  
Mr. Hrishikesh Baruah, Mr. Parth  
Goswami and Mr. Akshay Kumar,  
Advs. for R-3  
Ms. Vrinda and Ms. Vanshita Gupta,  
Advs. for R-4 & 5

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR  
KAURAV**

**ORDER**  
**05.08.2024**

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1. Heard.
2. When the petitioner was confronted as to why this Court should entertain the instant writ petition, which essentially pertains to the legality of the election conducted on 31.10.2020, he submitted that the petition concerns violations of the *National Sports Development Code of India, 2011 (Sports Code)*. According to him, the matter relates to good governance and thus falls within the purview of the High Court under Article 226 of the Constitution of India. He further points out various discrepancies in the manner in which the election of the President of respondent No. 3 was conducted.



3. On the other hand, learned counsel appearing on behalf of respondent No.3 points out that in ***Perumal Ramasamy v. Union of India*** W.P.(C) 4076/2024, the Division Bench of this Court has taken note of pendency of the instant writ petition and finding therein that the same fact was not disclosed by the PIL-petitioner, dismissed the said writ petition. According to him the similar prayers was made in the aforesaid PIL. The relevant paragraphs of the said order reads as under:-

*9. Be that as it may, Rule 9(i)(d) of the Delhi High Court (Public Interest Litigation) Rules, 2010 requires the petitioner to disclose in the writ petition the class of persons for whose benefit the petition has been filed and how such persons are incapable of accessing the Courts. While making the said disclosure the Petitioner herein in this PIL ought to have disclosed the filing and pendency of W.P.(C) 14795/2022 for identical reliefs. In light of the fact that an affected party has already approached the Court for identical reliefs on similar pleas, which are pending adjudication before the learned Single Judge of this Court, we find no ground for entertaining the present PIL at the behest of the Petitioner herein for similar reliefs.*

*10. At this stage, learned counsel for the Petitioner prays that the present petition be tagged and heard along with W.P.(C) 14795/2022, however, we are not inclined to accept the said prayer.*

*11. The present PIL along with application is accordingly dismissed on the ground of non-maintainability.*

*12. It is made clear that we have not examined or expressed any opinion on the merits of maintainability of W.P.(C) 14795/2022 in these proceedings.*

4. Learned counsel for respondent No.3, therefore, submits that notwithstanding the fact the Division Bench has already dismissed the PIL as the same was found to be not maintainable, even otherwise, the nature of the relief prayed for in the instant writ petition would require examination of witnesses, adducing of evidence. Therefore, the Court should refrain from adjudicating the aforesaid aspect under this writ jurisdiction.



5. This Court has decided various writ petitions where the Sports Code was subject matter of the issue and is dealing with many of such writ petitions. However, keeping in mind the nature of the relief which is sought in the instant writ petition that essentially relates to conduction of election of respondent No.5 which was conducted on 31.10.2020, the Court finds that the petitioner should avail any appropriate alternate remedy, in accordance with law.

6. The Court, therefore, is unable to accede to the prayer of entertaining the instant writ petition under Article 226 of the Constitution of India. The same is accordingly dismissed alongwith pending applications. All rights and contentions are left open.

**PURUSHAINdra KUMAR KAURAV, J**

**AUGUST 5, 2024**

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