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* **IN HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12185/2024 & CM APPLs. 50689-50690/2024**
KAMLESH CHOUDHARYPetitioner

Through: *Appearance not given.*

versus

**UNION OF INDIA THROUGH SECRETARY MINISTRY OF
YOUTH AFFAIRS AND SPORTS & ORS.**Respondents

Through: Mr. Anil Soni, CGSC with Mr. Devvrat Yadav, G.P. for UOI.
Mr. Ashish Dholakia, Senior Advocate with Ms. Purnima Singh, Mr. Arjun Kaushal and Ms. Ananya Narain, Advocates for R-2.
Mr. Hrishikesh Baruah, Mr. Parth Goswami and Mr. Akshay Kumar, Advocates for R-4.
Mr. Ilam Parithi D.K., Advocate for R-3 & R-8.
Mr. Vikash Singh and Mr. Sagar Chourasia, Advocates for R-10.
Mr. Nikhil Goel, Senior Advocate with Ms. Ranu Purohit, Mr. Adithya Roy and Ms. Niharika Singh, Advocates for R-11.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
02.09.2024

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1. The present petition seeks to challenge (a) the illegal election of Mr.



Dev Patel and Mr. Mahaveer Ranka, executive members of All India Chess Federation¹ and (b) the absence of Athletes Commission and other alleged non-compliance of the provisions of the National Sports Development Code of India, 2011,² as interpreted by the Division Bench of this Court in ***Rahul Mehra v. Union of India***.³

2. The Petitioner, a professional chess player and national instructor, is aggrieved by the arbitrary and unlawful conduct of AICF and its incumbent Honorary Secretary, Mr. Dev Patel, for promoting and shielding a member of AICF, Mr. Mahaveer Ranka. Petitioner further alleges that Mr. Patel and Mr. Ranka are ineligible to hold any position of AICF owing to the age, tenure and qualification criteria of their respective state sport bodies.

3. Mr. Ashish Dholakia, Senior Counsel for Respondent No. 2, on instructions, states that the election of the Executive Council of AICF has been conducted under the directions of this Court in ***Gujarat State Chess Association v. All India Chess Federation & Ors.***⁴ He informs that a retired judge of this Court as well as a retired judge of the High Court of Madhya Pradesh were appointed as Returning Officers to ensure compliance with the Sports Code. After elections were conducted, the Executive Council was formed on 10th March, 2024 and the Athletes Commission shall also be constituted shortly. He places reliance on the e-mail communication dated 21st February, 2024 sent by Director (Sports), Department of Sports wherein they acknowledged that AICF is compliant with 16 parameters of the Sports Code which are being taken into account for renewal of recognition of

¹ “AICF”

² “the Sports Code”

³ W.P. (C) 195/2010, dated 16th August, 2022



National Sports Federations. A copy of the said communication has been handed over across the Board and the same is taken on record.

4. Nonetheless, Mr. Dholakia submits that the issue regarding formation of the Athletes Commission along with other Commissions mandated under the Sports Code like the Ethics Commission, Election Commission, Arbitration Commission and Ombudsman, shall be addressed in the next Special General Meeting scheduled on 12th September, 2024. The said meeting shall also discuss the issues raised by the Petitioner in Annexure P-12 and the necessary steps in this regard shall subsequently be taken. Therefore, Petitioner's grievances shall be adequately addressed. This statement made by Mr. Dholakia is taken on record.

5. In view of the statement made by Mr. Dholakia today, the present petition is disposed of with a direction that the afore-noted meeting shall address the issues highlighted by the Petitioner in Annexure P-12 and necessary steps shall be taken to ensure compliance of the Sports Code.

6. Insofar the challenge is made to the election of Mr. Dev Patel and Mr. Mahaveer Ranka is concerned, Petitioner is free to explore the remedy of initiating civil proceedings.

7. With the above directions, the present petition along with pending applications, if any, is disposed of.

SANJEEV NARULA, J

SEPTEMBER 2, 2024

as

⁴ W.P. (C) 15645/2023, dated 06th December, 2023