



\$~107

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 379/2025**

ANJUL OBEROIPetitioner
Through: **Mr. Dhruv Joshi, Adv.**

versus

SMT SUJATA CHATURVEDIRespondent
Through: **Mr. Ruchir Mishra, Mr. Mukesh Kumar Tiwari, Ms. Harshita Sharma and Ms. Reba Jena Mishra, Adv. for R-1 and R-2**

CORAM:
HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER
12.03.2025

%

1. This hearing is being conducted through hybrid mode.
2. The petitioner is seeking initiation of contempt proceedings against the respondents for alleged wilful defiance of directions of this Court contained in order dated 22.12.2023 in W.P. (C) 16646/2023.
3. Learned counsel for the respondent is present on advance notice.
4. In a nutshell, the petitioner filed the aforesaid writ petition so as to direct respondent nos. 1 and 2, the present proposed contemnors, to consider the representation given by the petitioner in the month of November, 2023 with regard to the state of affairs in the management and administration of the Uttar Pradesh Basket Ball Association, which was arrayed as respondent No.5.
5. Incidentally, a learned Single Judge of this Court in CONT.CAS(C) 1784/2024 passed the following directions dated



12.11.2024:-

“6. Learned counsel for respondent nos. 1 & 2 has stated that the position of Union of India is little difficult in the present scenario as the aspect related to “Sports” is a State subject which falls under Schedule-II of the Constitution of India. He, however, states that since the requisite reply has already been received from the State Body, they would, within the permissible scope and ambit, send requisite communication to the petitioner informing him about the outcome of his representation. It is undertaken that aforesaid communication shall be sent within ten days from today.

Such statement is taken on record.

In view of the above, learned counsel for petitioner, without prejudice to his rights and contentions, seeks permission to withdraw the present petition.

Present petition stands disposed of as not pressed.”

6. It is acknowledged by the learned counsel for the petitioner that they are in receipt of a letter-cum-reply dated 20.11.2024 issued by the Under Secretary to the Government of India, upon consideration of the petitioner’s representation. However, it is submitted that neither the respondent no.1 i.e., Ministry of Youth Affairs and Sports, nor the respondent no.2 i.e., Home Secretary, Government of India, has considered his representation in the right earnest, and that they have passed a cryptic order, virtually overlooking the issues raised in the representation.

7. The learned counsel for the respondent requests time to seek instructions. However, it would be pertinent to reproduce the contents of the letter-cum-reply dated 20.11.2024 by the respondent no.1 through the Under Secretary to the Government of India, which goes under:-

“To,
Shri. Anjul Oberoi, S/o K.L. Oberoi
R/o C-597, Indira Nagar Lucknow,
Uttar Pradesh-226016
Email:- anjuloberoi008@gmail.com



Subject: **Compliance of Order dated 12.11.2024 passed in Cont Cas (C) No. 1784 of 2024 In Writ Petition (C) No. 16646/2023 titled as “Anjul Oberoi Vs. UOI & Ors.” filed before Hon’ble High Court of Delhi – Regd**

Sir,

I am directed to refer to the Order dated 12.11.2024 (*copy enclosed*) passed in the above captioned petition and to say that this Ministry has considered the allegations averred in the representation dated 15.11.2023, which was given to Basketball Federation of India as well as reply of Uttar Pradesh Basketball Association and it is observed that the allegations are with respect to management issues in Respondent No.4/Uttar Pradesh Basketball Association which is a State Association affiliated with the Basketball Federation of India.

2. It is informed that Sports’, being a subject matter of State, this Ministry does not deal with the State/UT Association of the concerned National Sports Federations. It is pertinent to mention herein that, as per List-II of 7th Schedule of the Constitution of India, “Sports” is a State subject. Thus, dispute w.r.t Uttar Pradesh Basketball Association comes under the purview of the Basketball Federation of India (BFI).

3. It is submitted that, under Article 77(3) of the Constitution of India, the Government of India (Allocation of Business) Rules, 1961 (the “**Business Rules**”) have been framed, which allocate the business of Government amongst its various Ministries/Departments. As per the Allocation of Business Rules, the Ministry deals only with the National Sports Federations. As such, the functioning of the constituent units of NSFs does not fall within the ambit of the Ministry of Youth Affairs & Sports. That being the case, the Ministry has forwarded the representation dated 15.11.2023 to the BFI to look into the grievances pursuant to the Order dated 22.12.2023 of the Hon’ble High Court of Delhi passed in W.P. (C) No. 16646/2023 titled as ‘Anjul Oberoi Vs. UoI & Ors.’.

4. Thus, this Ministry does not have legislative or legal competence to unilaterally impose provisions of Sports Code on State associations or to ensure compliance by such associations or to even look into their affairs.

5. In light of the factual position as stated above, the representation dated 15.11.2023 is disposed of in terms of the directions passed by the Hon’ble High Court.

This issues with the approval of the competent authority.

Yours Sincerely,



(Surendra Yadav)
Under Secretary to the Government of India
Tele:- 011-24369014”

8. A careful perusal of the aforesaid letter issued by the respondent no.1 leads to the conclusion that ‘Sports’ being a State subject, the interference of the Central Government in the affairs of a State Basketball Association is not called for. The bottom line is that whether the decision is right or wrong, a decision has indeed been taken by the respondent, therefore, the present contempt petition no longer survives.

9. Accordingly, the present contempt petition is dismissed with liberty to the petitioner to pursue his remedies elsewhere, if any, in accordance with law.

DHARMESH SHARMA, J.

MARCH 12, 2025/pkv/es