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

+ **W.P.(C) 1691/2025**

AARTI

.....Petitioner

Through: Mr. Sanjeev Sagar, Sr. Advocate with
Ms. Nazia Parveen, Mr. Devender
Mor and Mr. Navjot Singh,
Advocates.

versus

NATIONAL ANTI DOPING AGENCY & ANR.....Respondents

Through: Ms. Manpreet Kaur Bhasin, Advocate
for R1.
Mr. Ruchir Mishra with Mr. Mukesh
K. Tiwari, Ms. Reba Jena Mishra &
Ms. Poonam Shukla, Advocates for
UOI.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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06.01.2026

1. This petition assails the order dated 10.01.2025 passed by the Anti-Doping Appeal Panel, whereby the petitioner's appeal was dismissed, and the decision of the Anti-Doping Disciplinary Panel was affirmed.
2. The petitioner is a national-level wrestler. On 29.05.2022, during the selection trials held at Ranchi, Jharkhand, a urine sample of the petitioner was collected by the Doping Control Officer of the National Anti-Doping Agency (NADA). In accordance with the prescribed procedure, the sample was sent for analysis to an approved laboratory.



3. Subsequently, the petitioner was duly notified *vide* communications dated 26.08.2022 and 22.09.2022 that she had been charged with violations of Articles 2.1 and 2.2 of the Anti-Doping Rules. By the said communications, the petitioner was informed of her right to have the B sample tested again, as well, as her right to an impartial hearing before the Independent Anti-Doping Disciplinary Panel.

4. Upon completion of the disciplinary proceedings, the Anti-Doping Disciplinary Panel, *vide* order dated 07.02.2023, held that the petitioner had committed a violation of the Anti-Doping Rules. Since the case involved a non-specified substance, the petitioner was held liable to a period of ineligibility under Article 10.2.1.1 of the Anti-Doping Rules for four years. Accordingly, the petitioner was declared ineligible for a period of four years commencing from the date of provisional suspension, i.e., 26.08.2022. Paragraph nos.13 to 18 of the order dated 07.02.2023 is reproduced as under:

“13. As per Article 2.1 of the Anti-Doping Rules 2022, it is the personal duty of every athlete to ensure that no prohibited substance, as defined, enters his or her body. Reference may also be made to Article 2.1.2 which provides that presence of a prohibited substance or its metabolites is sufficient proof of anti-doping rule violation.

14. Where a sample testing returns a positive finding, onus is on the athlete to explain how the substance entered his/her body. Fault, negligence or knowing use are not relevant considerations that are needed to be proved while making a case for anti-doping violation. The liability cast on the athlete is thus strict.

In the present case, the Athlete has failed to discharge her burden to prove that an Anti-Doping Rule violation was not intentional.

16. The Panel holds that a violation under Article 2.1 & 2.2 of the Anti-Doping Rules has taken place and the Athlete is liable for sanctions Article 10 of the Anti-Doping Rules 2021.

17. Once a violation of anti-doping rules has been established,



Sanctions on Individuals as provided under Article 10 of the Anti-Doping Rules 2021 must ensue. The present case involves a non-specified substance, hence the Athlete is liable for sanctions under Article 10.2.1.1, an ineligibility for a period of 4 years.

18. The Panel holds that the Athlete is liable for sanctions under Article 10.2.1.1 for an ineligibility for a period of 4 years. The period of his ineligibility for the period of 4 years shall commence from the date of provisional suspension, i. e., 26.08.2022.”

5. Aggrieved by the order of the Anti-Doping Disciplinary Panel, the petitioner preferred an appeal, which came to be dismissed. Thereafter, the petitioner approached this Court by way of a writ petition. *Vide* order dated 06.09.2024, the writ petition was allowed, with this Court while taking note of the fact that the petitioner had admitted her guilt at the inception of the proceedings and was, therefore, entitled to the benefit of Articles 10.7.2 and 10.8.1 of the Anti-Doping Rules, warranting a reduction in the period of ineligibility. Consequently, the matter was remanded to the Anti-Doping Appeal Panel for fresh consideration in accordance with law. Paragraph nos.4 to 7 of the said order are extracted as under:

“4. The present petition impugns the aforementioned orders dated 7th February, 2023 and 16th June, 2023. Mr. Sanjeev Sagar, counsel for Petitioner, points out that the impugned order dated 7th February, 2023 records that the Petitioner “denied the intentional use of the substance and stated that she is not aware how the substance enters in her body”. However, he argues that the impugned orders fail to recognise that the Petitioner had, in fact, admitted her guilt, which was conveyed through communications dated 13th September, 2023, 14th October, 2023, and 18th October, 20224, as well as the acceptance of consequences form sent to the Respondent on 4th December, 20225. Consequently, in view of the admission made by her, the

Petitioner is entitled to the benefit of Articles 10.7.2 and 10.8.1 of the Rules, and the period of ineligibility ought to be reduced. Accordingly, Mr. Sagar states that Respondent No. 2 should be directed to reconsider the Petitioner’s case.



5. In light of the foregoing, the Court notes that the Petitioner had indeed admitted to having consumed the prohibited substance, albeit unknowingly, and had communicated the same to the National Anti-Doping Agency– Respondent No. 2. Thus, the present petition is disposed of with a direction to Respondent No. 2 to consider the Petitioner’s case afresh and pass a reasoned order, taking into account the annexures mentioned above and the provisions of the National Anti-Doping Agency (NADA) Anti-Doping Rules, 2021 by way of a reasoned order.

6. It is clarified that the Court has not examined the merits of the case. All rights and contentions of the parties are left open. In the event that the decision rendered is adverse to the Petitioner’s interests, they shall be at liberty to take recourse to appropriate remedies as available in accordance with law.

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

6. Pursuant to the remand, the Anti-Doping Appeal Panel reconsidered the matter and passed the impugned order. In the impugned order, the Appeal Panel took note of Article 10.8.1 of the Anti-Doping Rules and observed that the said provision, on the face of it, stipulates that an athlete or other person may be entitled to a reduction in the period of ineligibility only if he or she admits the anti-doping rule violation and accepts the asserted period of ineligibility not later than twenty days after receipt of the notice of anti-doping rule violation, so as to enable resolution of the matter without a hearing. The Appeal Panel, therefore, concluded that the petitioner was not entitled to the benefit of Article 10.8.1 on the ground that she had failed to submit the Acceptance of Consequences Form to NADA within the period prescribed under the said Rule.

7. A perusal of Rule 10.8.1 makes it evident that an admission of an anti-doping rule violation is required to be made not later than twenty days from receipt of the notice of charge. The benefit under the said Rule has



been denied on the ground that such admission was not found by the Panel within the prescribed period. However, the record clearly indicates otherwise. On 13.09.2022, in response to the notice dated 26.08.2022, the petitioner, at the very first opportunity, unequivocally admitted the violation, stating that the prohibited medication had been consumed unknowingly and on the advice of fellow players, and sought leniency considering her circumstances and future career. Thereafter, the petitioner reiterated this admission in subsequent communications dated 14.10.2022 and 18.10.2022. Although the notification of the adverse analytical finding was issued on 22.09.2022, the petitioner, in her response dated 14.10.2022, once again admitted the violation and expressly declined analysis of the B sample. The said response is extracted as under: -

“Aarti D/o Satyavan

We are not willing to get B' Sample done; we accept that we have taken these medicines. I am below 18 years of age and I have taken this medicine. I am accepting my mistake. Earlier I sent these papers at hmamta559@gmail.com mail id also I have sent the reply of this mail on 14/09/2022.

Sd./- Aarti”

8. It is, thus, evident that there was an unequivocal and unqualified admission of the anti-doping rule violation by the petitioner. The Anti-Doping Appeal Panel appears to have proceeded on the premise that such an admission was required to be made strictly in a prescribed format. The record, however, indicates that at the relevant time the petitioner was below 17 years of age and was unaware of the procedural formalities prescribed under the Rules. Nevertheless, her intention to admit guilt was clear. Once the intention to admit the violation is not in doubt, denial of the benefit under Article 10.8.1 merely on a technical ground relating to format is unsustainable. While the reduction of the period of ineligibility under the



said provision is discretionary, the impugned decision demonstrates that the discretion was not exercised on merits but was influenced solely by the absence of admission in a prescribed format.

9. In these circumstances, the petitioner's case is required to be reconsidered bearing in mind the aforesaid aspects. Accordingly, the matter deserves to be remitted once again to the Anti-Doping Appeal Panel, which shall reconsider the issue in accordance with law and with due expedition. While doing so, the Appeal Panel shall also take into account the fact that the petitioner has already undergone more than three years of debarment. The Anti-Doping Appeal Panel is directed to take a decision within a period of four weeks from the date of receipt of this order.

10. The petition is disposed of in the aforesaid terms.

PURUSHAINdra KUMAR KAURAV, J

JANUARY 6, 2026

tr/mj