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

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Date of Decision: 22.05.2026+ **LPA 397/2026****TABLE TENNIS FEDERATION OF INDIA**Appellant

Through: Mr. N. Hariharan, Senior Advocate, Mr. Avi Singh, Senior Advocate with Mr. Parth Goswami, Mr. Prateek Som, Mr. Ramjeet Pawar, Mr. Ayush Yadav, Mr. Amaan Shreyas, Ms. Mannat Tipnis, Ms. Punya Rekha Angara, Mr. Aman Akhtar, Ms. Vasundhra N., Ms. Sona Singh, Ms. Vasundhara Raj Tyagi, Mr. Arjom Singh Mandla, Mr. Manish Kumar, Ms. Tanvi Anand and Mr. Rajarshi Roy, Advocates.

Versus

KAMLESH MEHTA & ORS.Respondents

Through: Mr. Amit Sibal, Senior Advocate, Mr. Jayant Mehta, Senior Advocate, Mr. Abhishek Malhotra, Senior Advocate with Mr. Kartikay Dutta, Ms. Anukriti Tribedi, Ms. Aahna Mehrotra, Mr. Abhishek Bharti, Mr. Shivansh Soni, Mr. Suvan Jain and Mr. Harsh Bector, Advocates for R-1. Mr. Chetan Sharma, ASG with Mr. Udit Dedhiya, SPC, Mr. Akshit Mohan, GP, Mr. Amit Gupta, Mr. R.V. Prabhat, Mr. Shubham Sharma, Mr. Yash Wardhan Sharma, Mr. Naman and Ms. Apurva Sachdev, Advocates for R-3.



Ms. Aashita Khanna, Ms. Aanya Agarwal, Mr. Neil M. Goswami, Mr. Ritwik Prakash, Advocates for R-4.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJAS KARIA

TEJAS KARIA, J. (Oral)

CAV 249/2026

1. The learned Counsel for Respondent No. 1 / Caveator has appeared.
2. The Caveat stands discharged.

CM Nos. 35012/2026 & 35013/2026

3. Allowed, subject to all just exceptions.
4. The Applications stand disposed of.

LPA 397/2026

5. The present intra-court Appeal is directed against the Judgment dated 11.05.2026 (“**Impugned Judgment**”) passed in W.P.(C) No.1680/2026 (“**Writ Petition**”) whereby the Writ Petition filed by Respondent No. 1 was disposed of by setting aside the Resolution dated 28.01.2026 passed by the Executive Committee of the Appellant under Clause 11(d) of the Memorandum of Association (“**MoA**”) temporarily suspending Respondent No. 1, the Secretary General of the Appellant pending enquiry by a duly constituted Enquiry Committee for operational and financial irregularities and constituting an Enquiry Authority to inquire into the conduct and functioning of the Appellant, including but not limited to the office bearers of the Appellant.



6. The brief facts leading to filing of the present Appeal are as under:

6.1 The election of the Executive Committee of the Appellant was conducted on 05.12.2022 pursuant order dated 17.10.2022 passed by this Court in W.P.(C) No.10590/2021 titled as ***Ms. Manika Batra v. Table Tennis Federation of India*** in accordance with the provisions of the National Sports Development Code of India, 2011 (“**Sports Code**”) and the MoA of the Appellant. Hon’ble Mr. Justice (Retd.) Vineet Saran, former Judge of the Supreme Court of India was appointed as the Returning Officer for the conduct of the said election, wherein Ms. Meghna Ahlawat was elected as the President of the Appellant and Respondent No. 1 was elected as the Secretary General of the Appellant.

6.2 On 06.01.2026, the President of the Appellant issued a notice convening an Executive Committee Meeting (“**ECM**”) and Annual General Meeting (“**AGM**”) of the Appellant on 28.01.2026 at 3:00 PM and 5:00 PM respectively.

6.3 *Vide* notice dated 09.01.2026, Respondent No. 1 in his capacity as Secretary General of the Appellant convened a Special General Meeting (“**SGM**”) on 17.01.2026.

6.4 The SGM was held on 17.01.2026, which was chaired by Senior Vice President of the Appellant as the President of the Appellant was absent and the Minutes of the Meeting recorded resolutions declaring ECM / AGM notice dated 06.01.2026 as invalid.

6.5 On 28.01.2026, ECM / AGM were held pursuant to the notice dated 06.01.2026. ECM was attended by 8 out of 19 members of the Executive



Committee and EGM was attended by representative of 18 out of 34 member State Associations. By the Resolution passed in ECM and approved by the AGM (“**Impugned Resolution**”), the Executive Committee in exercise of power under Clause 11(d) of the MoA declared Respondent No. 1 as *persona non-grata* and suspended him from the post of Secretary General of the Appellant pending the outcome of an inquiry to be conducted by the Enquiry Committee comprising of Mr. Chetan Gurung, Mr. Samar Jeet Singh and Mr. Sundara Varadhan (“**Enquiry Committee**”).

6.6 On 30.01.2026, Respondent No. 1 was intimated of the passing of the Impugned Resolution by e-mail addressed by the Vice President of the Appellant and it was also informed to Respondent No. 1 that a Show Cause Notice shall be issued separately granting him an adequate and fair opportunity to submit his explanation and to defend himself against the charges forming the basis of the action.

6.7 Respondent No. 1 instituted the Writ Petition *inter alia* assailing the Impugned Resolution and the constitution of the Enquiry Committee on 04.02.2026.

6.8 *Vide* Impugned Judgment, the Writ Petition was disposed of by observing that the principles of natural justice would be read into Clause 11(d) of the MoA and thereby setting aside the Impugned Resolution on the ground of non-compliance with the principles of natural justice. The Impugned Judgment quashed all the actions taken pursuant to the Impugned Resolution, including the constitution of the Enquiry Committee and appointed Hon’ble Mr. Justice (Retd.) Krishna Murari, former Judge of the Hon’ble Supreme Court of India as the Enquiry Authority to enquire into the



conduct and functioning of the Appellant, including its office bearers, with the remuneration of Enquiry Authority to be borne by the Appellant.

6.9 Aggrieved by the Impugned Judgment, the Appellant has preferred the present Appeal.

7. We have heard the learned Counsel for the Parties.

8. Learned Senior Counsel for the Appellant has submitted that the Impugned Judgment travels beyond the prayers sought in the Writ Petition which were limited to declaring Clause 11 of the MoA unconstitutional, quashing the Impugned Resolution, restoration of Respondent No. 1 and quashing the constitution of the Enquiry Committee. There was no prayer sought for constituting an Enquiry Authority into the Appellant's affairs. It was further submitted that neither the President nor any office bearer of the Appellant was arrayed as a party in the individual capacity and despite that the Impugned Judgment passes strictures against the President and directs enquiry into the conduct of "all office bearers" of the Appellant without even giving an opportunity to explain or defend themselves, which is in violation of the most basic principles of natural justice.

9. The learned Senior Counsel for the Appellant submitted that the finding in Paragraph No. 2 of the Impugned Judgment that "two factions" exists within the Appellant has no factual foundation in the pleadings of the Writ Petition.

10. It was further submitted on behalf of the Appellant that the Impugned Judgment is contrary to the settled law that the Courts exercising the writ jurisdiction must exercise restraint in interfering with the affairs of a



National Sports Federation (“NSF”) registered as an autonomous society under the Societies Registration Act, 1860. It was submitted that the internal disciplinary mechanisms, management decisions and elective contests within such a Society are not amenable to writ jurisdiction.

11. The learned Senior Counsel for the Appellant submitted that the Impugned Judgment fails to define the scope, role, mandate, terms of reference, procedure or consequence of the Enquiry Authority thereby rendering its constitution a roving and fishing exercise into the Appellant’s affairs without any directions or limit.

12. The learned Senior Counsel for the Appellant submitted that the divergence of views amongst the elected office bearers of a Society is natural in a democratic governance. It was submitted that mere disagreement between the President and the Secretary General cannot be elevated to “two factions fighting for control” and such a standard would subject every elected body to external enquiry, destroying the autonomy of all Societies. It was further submitted that a writ court may ordinarily not direct any enquiry into the affairs of a Society unless the gravest circumstances exist of evident malfeasance. However, the Impugned Judgment has directed to conduct an enquiry into the affairs of the Appellant and its office bearers without there being any *prima facie* finding of irregularities solely on unsubstantiated allegations made by Respondent No. 1 after his suspension.

13. The learned Senior Counsel for the Appellant submitted that the learned Single Judge has erroneously imported a requirement of pre-decisional hearing into Clause 11(d) of the MoA. It was submitted that the



MoA has consciously excluded pre-decisional hearing where immediate action may be necessary to prevent irreparable harm, however, the said deliberate scheme has been disregarded in the Impugned Judgment.

14. The learned Senior Counsel for the Appellant submitted that it is settled law that principles of natural justice may be imported only where not excluded expressly or by necessary implication, as in the present case. It was further submitted that the bye-laws of a Society are in the nature of a private contract among the members and are not amenable to challenge on the fundamental rights grounds, especially by Respondent No. 1 who is not even a member of the Appellant Society. It was submitted that Respondent No. 1 has no fundamental right to be elected in the office of the Secretary General of the Appellant and his rights derive solely from the MoA.

15. It was further submitted by learned Senior Counsel for the Appellant that having availed the benefit of MoA as Secretary General since 2022, Respondent No. 1 is estopped from challenging Clause 11(d) of the MoA as unconstitutional.

16. The learned Senior Counsel for the Appellant submitted that even assuming natural justice is to be read into Clause 11(d) of the MoA, the post-suspension enquiry before a duly constituted Enquiry Committee is a substantial compliance of principles of natural justice.

17. It was also submitted by the learned Senior Counsel for the Appellant that the Impugned Resolution was ratified by the AGM on the same date and this ratification was never challenged in the Writ Petition. It was submitted that in absence of such a challenge, the Impugned Resolution could not have been set aside without setting aside the Resolution passed by the AGM. It



was further submitted that it is the settled law that suspension pending a disciplinary enquiry is a permissible interim measure and does not amount to punishment. It was submitted that the learned Single Judge has erroneously substituted the decision of the duly elected Executive Committee ratified by the AGM without returning any finding of *mala fide* or that the allegations are unsubstantiated.

18. It was submitted on behalf of the Appellant that the public functions of an NSF are limited to selection of teams and international representation and not internal management or disciplinary matters as held in ***Ajay Jadeja v. Union of India***, (2002) 95 DLT 14. It was submitted that selective invocation of writ jurisdiction for a purely internal dispute is impermissible.

19. It was submitted by the learned Senior Counsel for the Appellant that Clause 34 of the MoA provides for arbitration and given the complex factual questions, the Writ Petition ought to have been dismissed on the ground of existence of an alternative remedy. In W.P.(C) No.4491/2024, Respondent No. 1 himself took a position that arbitration is an efficacious remedy for membership and disciplinary disputes. It was submitted that the learned Single Judge wrongly observed that the constitutional courts are better suited than private mechanisms.

20. In view of the same, it was submitted by the learned Senior Counsel for the Appellant that the Impugned Judgment deserves to be set aside.

21. The learned Senior Counsel for Respondent No. 1 submitted that the Impugned Judgment has rightly been passed considering the conduct of the Executive Committee of the Appellant whereby Respondent No. 1 was declared as *personal non grata* without giving an opportunity of hearing in



gross violation of the principles of natural justice. It was further submitted that Respondent No. 1 was elected as Secretary General through court-monitored elections held on 05.12.2022 and since then the President of the Appellant has been continuing with irregularities and unilateral actions. It was further submitted that the Impugned Resolution was unconstitutional as it relies on illegal provision of Clause 11(d) of the MoA which allows unilateral and arbitrary suspension of an elected official of the Appellant without providing any opportunity to be heard.

22. The learned Senior Counsel for Respondent No. 1 submitted that the suspension of the Respondent No.1 was *void ab initio* as Article 11 of the MoA contains ambiguous language allowing the President of the Appellant to take unilateral action without following the due process of providing an opportunity of hearing, which is manifestly arbitrary and unconstitutional. It was submitted that entire process of passing Impugned Resolution was marred by arbitrariness, *mala fide* and absence of due process that violated the rights of Respondent No. 1 to fair procedure under Articles 14, 19 and 21 of the Constitution of India, 1950.

23. The learned Senior Counsel for Respondent No. 1 submitted that constitution of Enquiry Authority to enquire into the conduct and functioning of the Appellant including the office bearers of the Appellant has rightly been directed in view of the two rival factions within the Appellant. It was submitted that such a direction to hold enquiry into the affairs of the Appellant had become necessary on account of the conduct of the President and the other office bearers of the Appellant. It was submitted that the learned Single Judge has appointed a former Judge of the Hon'ble



Supreme Court of India as the Enquiry Authority in view of the fact that 8 out of 19 members of the Executive Committee have already voted against Respondent No. 1 while passing the Impugned Resolution and therefore the Enquiry Committee consisting of the members of the Executive Committee would be biased against Respondent No. 1.

24. In view of the above submissions, the learned Senior Counsel for Respondent No. 1 prayed for dismissal of the present Appeal.

25. We have considered the submissions made on behalf of learned Senior Counsel for the Appellant as well as Respondent No. 1.

26. At the outset, we observe that Appellant being a Society registered under the Societies Registration Act, 1860 is bound by its own Regulations and to the extent that the Appellant is not performing a public function such as selection of teams and international representation, the exercise of writ jurisdiction to interfere with the internal affairs of the Society is limited to extremely exceptional circumstances.

27. In the present case, the learned Single Judge has held that the Writ Petition was maintainable in the interest of sports in general and larger common good in the world of sport to ensure that NSFs follow the procedure prescribed by the statutes, regulations and declarations by the Court.

28. Accordingly, the main question to be determined in this Appeal is whether the appointment of Enquiry Authority in the Impugned Judgment by the learned Single Judge to enquire into the conduct and functioning of the Appellant including the office bearers of the Appellant was justified in the facts and circumstances of the case.



29. Further, it is required to be determined whether the reading down of Clause 11(d) of the MoA to include the principles of natural justice into the said Clause was justified in the Impugned Judgment.

30. Clause 11 of the MoA reads as under:

“11. EXPLUSION OR SUSPENSION

- a) If a member or player refuses or neglects to comply with any provision of the rules or is guilty of such conduct as the Committee/Board deems or considers likely to endanger the harmony or affect the character, stability and interest of the Federation, such a member or player shall be liable to expulsion or suspension for such period as the Committee may fix. Thereupon at least fourteen clear days’ notice of such decision to suspend or expel shall be given in writing to the member or player who shall be at liberty to give an explanation or to present a defence in writing within fourteen days from the receipt of the said notice.*
- b) The explanation or defence in writing shall be considered in another meeting of the Committee/Board and out of the two-thirds of Members present, whatever decision comes in simple majority shall be final. In case voting is taken by circulation of paper, the decision in simple majority will be considered as final.*
- c) To protect the interest of the players and the administration of the expelled / suspended member association or institution, Executive Board/Executive Committee may appoint an adhoc committee at their discretion.*
- d) The Committee, may, at a regular meeting declare a person for life or for specific period, as a person non-grata with the Federation if it finds that the Committee deems or considers likely to endanger the harmony or affect the character, stability and interest of the Federation, such a decision to be taken by a majority of at least two thirds of the members of the Committee present. The person so declared shall not be considered by the Federation for election to any office or committee in the State unit concerned during the period so specified. If, however, the person concerned is already holding any office in the Federation and / or any of the affiliated units, he shall on such declaration ipso-facto cease to hold the office for the period so specified.”*



31. The learned Single Judge in the Impugned Judgment has observed that although there is no specific provision for a hearing in Clause 11(d) of the MoA, there is nothing in the said Clause, which in explicit terms excludes the application of the said principle. Therefore, the Impugned Resolution which was passed pursuant to Clause 11(d) of the MoA declaring Respondent No. 1 as *persona non-grata* has rightly been set aside.

32. The learned Single Judge has also appointed the Enquiry Authority to conduct enquiry into the functioning of the Appellant on account of the allegations made against two of the highest office bearers of the Appellant to justify such an enquiry being conducted in the affairs of the Appellant.

33. It is settled law that a writ jurisdiction cannot be exercised to interfere with the NSF in relation to the internal affairs and disciplinary mechanisms so long as the NSF is not exercising public functions. In the present case, the Impugned Resolution was passed under the provisions of 11(d) of the MoA, which has been read down by the learned Single Judge in the Impugned Judgment to include the principles of natural justice. Consequently, the Impugned Resolution has been set aside.

34. However, the Impugned Judgment does not provide for the consequential right of the Appellant to pass a fresh resolution under Clause 11(d) of the MoA after following the principles of natural justice.

35. Further, the direction of appointing Enquiry Authority to enquire into the affairs of the Appellant was based on allegations made by Respondent No. 1 without there being any prayer for the same. The scope of the Enquiry Authority appointed *vide* Impugned Judgment is open-ended and does not



specify the extent to which the mandate of the Enquiry Authority would extend.

36. Accordingly, we are of the view that there is no justification for constituting an Enquiry Authority to look into the affairs and functioning of the Appellant including the office bearers of the Appellant, without giving opportunity to such office bearers as they were not even party to the Writ Petition and also because exercise of jurisdiction under Article 226 of the Constitution in relation to internal affairs of a society, especially relating to membership dispute or issues relating to action in respect of conduct / misconduct of an office bearer is extremely limited.

37. In view of the above, the Impugned Judgment to the extent that it appoints an Enquiry Authority to examine the affairs of the Appellant and its office bearers is required to be interfered. Further, the consequential relief on setting aside the Impugned Resolution would have to follow in case the Appellant wishes to take fresh action against Respondent No. 1 pursuant to Clause 11(d) of the MoA after following the principles of natural justice.

38. Accordingly, the following directions contained in the Impugned Judgment are modified as under:

- (i) The setting aside of Impugned Resolution passed by the Executive Committee of the Appellant declaring Respondent No. 1 as *persona non-grata* is upheld;
- (ii) The reading down of Clause 11(d) of the MoA to read the principles of natural justice into Clause 11(d) of the MoA is upheld;
- (iii) The Executive Committee of the Appellant shall be at liberty to pass fresh resolution under Clause 11(d) of the MoA after following the principles of natural justice by giving opportunity of hearing to



Respondent No. 1 before passing any such resolution; and

- (iv) The direction to conduct enquiry into the affairs of the Appellant by enquiring into the conduct and functioning of the Appellant and its office bearers is hereby set aside and it is directed that if the situation so warrants and an enquiry is required to be conducted into the misconduct of Respondent No. 1, the same shall be conducted by the Enquiry Authority appointed by the learned Single Judge in the Impugned Judgment. It is clarified that the mandate and scope of the enquiry to be conducted by the Enquiry Authority shall be limited to the misconduct of Respondent No. 1 alone and it will not expand to the affairs of the Appellant including the conduct and functioning of the Appellant and its office bearers.

39. The Appeal is disposed of in the aforesaid terms. All rights and contentions of Parties on merits of the dispute are kept open and they shall be entitled to raise all pleas that may be available to them in accordance with law in appropriate proceedings. There shall be no order as to costs.

TEJAS KARIA, J

DEVENDRA KUMAR UPADHYAYA, CJ

MAY 22, 2026

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