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

+ LPA 5/2026

UNION OF INDIA

.....Appellant

Through: Mr. Chetan Sharma, ASG with Mr. Udit Dedhiya, SPC with Ms. Apurva Sachdeva, Mr. Preyansh Gupta, Mr. Amit Gupta, Mr. Shubham Sharma, Mr. Vikram Aditya, Mr. Yashwardhan, Advs. for UOI

versus

TAEKWONDO FEDERATION OF INDIA & ORS.....Respondent

Through: Mr. Rahul Mehra, Sr. Adv. with Mr. Saurabh Jain, Mr. Chatanya Gosain, Mr. Prayag Jain, Advs. for R-1. Ms. Aashita Khanna, Mr. Neil Goswami, Mr. V. Singh, Advs. for R-3.

+ LPA 776/2025

INDIA TAEKWONDO

.....Appellant

Through: Mr. Nishit Kush, Mr. Sidharth Sikri, Mr. Jaya Kumar Nair, Advs.

versus

UNION OF INDIA AND OTHERS

.....Respondents

Through: Mr. Chetan Sharma, ASG with Mr. Udit Dedhiya, SPC with Ms. Apurva Sachdeva, Mr. Preyansh Gupta, Mr. Amit Gupta, Mr. Shubham Sharma, Mr. Vikram Aditya, Mr. Yashwardhan, Advs. for UOI Ms. Aashita Khanna, Mr. Neil Goswami, Mr. V. Singh, Advs. for R-1. Mr. JP Sengh, Sr. Adv. with Mr.



Tarkeshwar Yadav, Mr. Ayush Gandhi, Advs. Mr. Firoz Ahmed, President TFI for TFI
Mr. Rahul Mehra, Sr. Adv. with Mr. Saurabh Jain, Mr. Chaitenya Gosain, Mr. Prayag Jain, Advs. for R-3.

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

ORDER
06.01.2026

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CM APPL. 360/2026 and CM APPL. 361/2026 in LPA 5/2026

CM APPL. 80402/2025 & CM APPL. 80403/2025 in LPA 776/2025

1. Allowed, subject to all just exceptions.
2. The Applications stand disposed of.

LPA 5/2026 and CM APPL. 359/2026

3. The present Appeal challenges the judgment dated 18.11.2025 (“**Impugned Judgment**”) passed by learned Single Judge in WP(C) 7029/2025 (“**Writ Petition**”), whereby the letter dated 08.05.2025 issued by the Appellant recognizing Respondent No. 2 as the National Sports Federation (“**NSF**”) for the sport of Taekwondo has been set aside.
4. Mr. Chetan Sharma, learned ASG for the Appellant submitted that the Impugned Judgment is in the teeth of the provisions of the National Sports Development Code, 2011 (“**Sports Code**”) as it directs the Appellant to reconsider the recognition of Respondent No. 2 as NSF for the sport of Taekwondo after according an opportunity of hearing to all stakeholders including Respondent No. 1 and Respondent No. 2. Further, the direction that Respondent No. 1 shall continue to act as the NSF till such time the decision is taken by the Appellant is contrary to the provisions of the Sports



Code and will also adversely impact the prospects of the Indian Athletes to take part in prestigious future International Events including the forthcoming Asian Games, 2026 to be held in Japan.

5. The learned ASG relied upon Paragraph Nos. 8.1 to 8.3 of the Sports Code, which provides as under:

“8.1 The purpose of this is to ensure that NSFs maintain certain basic standards, norms and procedures with regard to their internal functioning, which conform to the high principles and objectives laid down by the concerned International Federation, and which are also in complete consonance with the principles laid down in the Olympic Charter or in the constitution of the Indian Olympic Association while being compliant with Government guidelines applicable to NSFs.

8.2 From the year December, 2009, a new system of annual recognition was notified under which NSFs are required to submit detailed documentation for grant of recognition, which would get automatically renewed in the subsequent years subject to submission of prescribed documents such as annual report, audited accounts, details of national championships held, utilization certificate in respect of Government grants. Copies of relevant circulars issued vide No.F.9- 69/2009-SP-I dated 12.11.2009, 02.12.2009 & 29.11.2010 are placed at Annexure-XV. Federations not availing of grants from the Government will receive permanent recognition instead of annual recognition.

8.3 NSFs seeking recognition will have to apply as per Guidelines given at Annexure-II. While considering the proposals for recognition, the Ministry, inter alia, will be guided by the following:

- i. The current legal status of the Organization*
- ii. Recognition by the International Federation and the Asian Federation.*
- iii. Recognition by the IOA in respect of Olympic Sports*
- iv. Undisputed status as an Apex Body in India*
- v. All India spread.*
- vi. The role and contribution of the organization in promoting and developing Sports in India.*
- vii. Conduct of national championships across age groups and gender*
- viii. Financial and managerial accountability.*



- ix. Fair, transparent and democratic elections.
- x. Compliance with age and tenure limit guidelines.
- xi. Protection and promotion of players' interests and welfare."

6. The learned ASG also relied upon the letter dated 17.03.2023 recognizing Respondent No. 1 as NSF for the sport of Taekwondo. He further emphasized on Paragraph Nos. 4 and 5 of the said letter, which state as under:

"4. Further, in view of the Hon'ble Delhi High Court's order dated 28.04.2022 in W.P. (C) No. 11674 of 2019, consequent upon acceptance of election of Taekwondo Federation of India, it has been decided to recognize Taekwondo Federation of India, represented by the above-said elected Office Bearers in the election conducted by the Hon'ble Delhi High Court appointed Court Commissioner-cum-Returning Officer, as National Sports Federation (NSF) for promotion and development of sport of Taekwondo in the country with immediate effect.

5. This recognition to Taekwondo Federation of India is with the condition that it shall comply with the provisions of National Sports Development Code of India, 2011 and other relevant guidelines issued by the Ministry from time to time. A copy of the National Sports Development Code of India, 2011, currently in force is available on the website of this Ministry i.e. <https://yas.nic.in/sports/national-sports-development-code-india-2011>"

7. In view of the above, it was submitted by the learned ASG for the Appellant that the recognition of Respondent No. 1 was conditional upon the compliance with the provisions of the Sports Code. As per the Sports Code, Respondent No. 1 was required to obtain recognition of the International Federation and, admittedly, 'World Taekwondo' is the International Governing Body for the sport of Taekwondo as recognized by the International Olympic Committee ("IOC"). Therefore, the recognition of



Respondent No. 1 as NSF was conditional upon Respondent No. 1 getting recognition from 'World Taekwondo'. However, despite passage of considerable time, Respondent No. 1 was unable to obtain the required recognition from 'World Taekwondo' and thereby, Respondent No. 1 was not able to send any athletes for International Events that are recognized and held under the aegis of 'World Taekwondo'.

8. The learned ASG for the Appellant further submitted that as per the scheme of the Sports Code, the recognition granted to an NSF is neither absolute nor does it exist in perpetuity. In terms of Paragraph No. 8.2 of the Sports Code, the Appellant was duty-bound to impose a system of renewal of Annual Recognition Procedure for the NSFs. In order to be eligible for anyone getting recognition, all concerned NSFs have to submit certain documents including certificate of affiliation from the International / Asian Federation and failure will disentitle the NSF for renewal of its Annual Recognition and if the recognition is not renewed, the Association / Body will automatically cease to be an NSF.

9. He, thus, stated that Respondent No. 1 was granted recognition *vide* letter dated 17.03.2023 for the year of 2023 subject to certain conditions, which were not complied with by Respondent No. 1, the recognition of Respondent No. 1 for the year 2024 could not be renewed. The Appellant had also sent several communications to Respondent No. 1 enquiring about the status of affiliation with 'World Taekwondo', however, till date Respondent No. 1 has not been recognized by 'World Taekwondo'.

10. Learned ASG stated that in view of the above, the Appellant issued letter dated 08.05.2025 recognizing Respondent No. 2 as the NSF for the sport of Taekwondo and that Respondent No. 2 is a member and duly



affiliated with 'World Taekwondo' in terms of letter dated 09.03.2025 issued by 'World Taekwondo'.

11. Being aggrieved by the recognition of Respondent No. 2 by the Appellant, Respondent No. 1 preferred the said Writ Petition.

12. *Vide* the Impugned Judgment, while setting aside the letter dated 08.05.2025 recognizing Respondent No. 2 as NSF, certain directions have also been issued. Operative portion of the Impugned Judgment reads as under:

"47. In the circumstances, the impugned order dated 08.05.2025 is set aside.

48. The Union of India is directed to reconsider the matter as regards recognition of a suitable body to act as the NSF for the sport of Taekwondo in the country, after affording an opportunity of hearing all the stakeholders including the petitioner and the respondent no.3 and thereafter take an appropriate decision by issuing a reasoned order, in consonance with the Sports Code and good governance practices. Let the same be done expeditiously.

49. Till the aforesaid exercise is completed, for all the above reasons, and in line with the orders dated 24.12.2024 and 13.01.2025 passed in W.P.(C) 17973/2024, the petitioner shall continue to act as the NSF in respect of the sport of Taekwondo in India."

13. The learned ASG submitted that the Impugned Judgment failed to consider that Respondent No. 1 had not complied with the Sports Code and cannot continue as NSF pursuant to the failure to get renewal for the year 2024 and, accordingly, recognition of Respondent No. 2 was neither arbitrary nor in violation of principles of natural justice. The Appellant constantly followed up with Respondent No. 1 seeking its status of affiliation with 'World Taekwondo', however, Respondent No. 1 did not



apprise the status of its affiliation sought by the Appellant time and again. He also submitted that the Impugned Judgment has relied upon the documents handed over during the course of the final arguments regarding the formation and incorporation of Respondent No. 2, which never formed part of or pleaded in the Writ Petition.

14. Mr. Rahul Mehra, the learned Senior Counsel for Respondent No. 1 submitted that the Impugned Judgment has rightly set aside the recognition of Respondent No. 2 and permitted Respondent No. 1 to continue to act as NSF for the sport of Taekwondo in India till such time the Appellant reconsiders the recognition of a suitable body to act as the NSF for the sport of Taekwondo in India as directed by the Impugned Judgment.

15. Heard the learned Counsel for the Parties.

16. There is no cavil that recognition of Respondent No. 1 was conditional upon affiliation / recognition by International Body being 'World Taekwondo', which, admittedly, Respondent No. 1 has not been able to obtain.

17. Further, the Parties agree that the provisions of the Sports Code apply for recognition of NSF. The Sports Code provides for procedure regarding the recognition, suspension and de-recognition or withdrawal of recognition of the NSF by the Appellant.

18. In addition to the provisions of the Sports Code relied upon by the learned ASG for the Appellant, the following provisions are also relevant:

“8.5 The Ministry reserves the right to suspend or withdraw the recognition of NSF, in the event of serious irregularities being detected in their internal functioning. The procedure and consequences of suspension and de-recognition are indicated at Annexure III.



Annexure—III

PROCEDURE FOR SUSPENSION/WITHDRAWAL OF RECOGNITION AND CONSEQUENCES THEREOF

I. SUSPENSION

In the event that serious irregularities in the functioning of a National Sports Federation are detected, the recognition of a Federation will be suspended as an interim measure until a complete and full inquiry is completed. The grounds for suspension will be as follows:

- (i) Suspension by the concerned International or Asian Federation on any grounds whatsoever.*
- (ii) Suspension by the IOA.*
- (iii) Legal action taken against a NSF by the concerned Registrar of Societies or other legal authority.*
- (iv) Failure to hold elections as prescribed in the Constitution of the NSF or in accordance with the government guidelines or gross irregularities in election procedures.*
- (v) Failure to submit annual audited accounts, as prescribed.*
- (vi) Misuse, or unauthorised diversion, of Government assistance.*
- (vii) Failure to provide accurate information to the Department as and when called for.*
- (viii) Failure to abide by the conditions upon which recognition has been granted.*
- (ix) Non-compliance with the conditionalities laid down by the Government.*
- (x) On a report from the concerned Registrar of Societies alleging gross irregularities in the internal functioning of NSF.*
- (xi) In the public interest, in the event of any other serious irregularities being detected.*
- (xii) Non-renewal of annual recognition due to default on the part of the NSF*

II. WITHDRAWAL OF RECOGNITION:

Recognition may be withdrawn in case of any of the following:

- (i) the same has been obtained by misrepresentation of material information or by fraudulent means;*
- (ii) violation of the terms and conditions of recognition or of Government Guidelines or of the provisions of their own constitution;*



(iii) in the judgment of the Government of India, the Federation is not functioning in the best interest of development of sports for which the Federation was granted recognition;

(iv) an inquiry confirms serious irregularities regarding the functioning of the Federation;

(v) the concerned International or Asian Federation permanently derecognises or disaffiliates a National Federation. Similarly, derecognition may take place in the event that the IOA permanently derecognises or disaffiliates National Federation.

Before withdrawal of recognition, the concerned NSF will however, be given reasonable opportunity to present their defence.

III. CONSEQUENCES OF SUSPENSION/WITHDRAWAL OF RECOGNITION

Upon withdrawal of recognition the NSF will cease to exercise the functions of the NSF for the concerned sport discipline. It shall forego the right to regulate and control the sport in India and select the national teams and represent India in international sports events and forums. It will also become ineligible to use India in its name or receive any benefit or concession meant for an NSF as detailed in clause 3.6 of the National Sports Development Code 2011.”

19. It is clear from the above provisions of the Sports Code that for withdrawal of recognition for violation of the terms and conditions of the recognition, the concerned NSF be given reasonable opportunity to present its defence and it is only upon withdrawal of recognition, the NSF will cease to exercise the function of the NSF for the concerned sport discipline.

20. In the present case, the Appellant has not issued any show cause notice calling upon Respondent No. 1 to show cause as to why its recognition may not be withdrawn as NSF. Respondent No. 1 has not been given an opportunity of hearing and to present its defence against the withdrawal of the recognition. The submission of the learned ASG for the Appellant that upon non-renewal of the recognition, Respondent No. 1 ceased to be NSF, is not borne out from the Sports Code.



21. From a perusal of afore-quoted provisions of Sports Code, we are of the opinion that there cannot be any automatic withdrawal of recognition; nor can there be any automatic de-recognition. Clause (xii) under the heading “*Procedure for suspension / withdrawal of recognition and consequences thereof*” occurring in Annexure III appended to the Sports Code as extracted above in Paragraph No. 18 above mentions non-renewal of annual recognition due to default on the part of NSF as one of the grounds available to the Appellant to (i) suspend the recognition as an interim measure and (ii) withdraw the recognition.

22. Clause (ii) under the heading “*Withdrawal of Recognition*” contained in Annexure III of the Sports Code permits withdrawal of recognition in case of violation of terms and conditions of recognition or of Government Guidelines or of provisions of their own constitution.

23. However, the Sports Code also provides that before withdrawal of recognition, the concerned NSF will be given reasonable opportunity to present their defence. Therefore, what we conclude is that there cannot be any automatic withdrawal of recognition; neither can there be any automatic de-recognition.

24. Withdrawal of recognition of an NSF or its de-recognition can, thus, be by a positive act of withdrawal or de-recognition, that too, only after providing opportunity of hearing to the NSF concerned. It cannot happen automatically. Such provision, in our opinion, meets the requirement of observance of principles of natural justice in administrative action by a public authority or body.

25. Indisputably, procedure as laid down in the Sports Code leading to withdrawal of recognition of Respondent No. 1 as NSF has not been



followed by the Appellant. We have already concluded above that in terms of the provisions of the Sports Code, there cannot be any automatic withdrawal or de-recognition of an NSF; neither can there be any deemed withdrawal or de-recognition.

26. In absence of withdrawal of recognition of Respondent No. 1 or its de-recognition, there was no occasion for the Appellant to have considered the recognition of Respondent No. 2 as NSF for the sport of Taekwondo.

27. Admittedly, Respondent No. 1 has not fulfilled the condition imposed by the Appellant at the time of granting the recognition to Respondent No. 1 as NSF by not being able to obtain the recognition by 'World Taekwondo'. Accordingly, Respondent No. 1 is not in a position to send Indian athletes to any International Event recognized by 'World Taekwondo'.

28. Having regard to the over all facts and circumstances of the case and also to address the anomalous situation, which has emerged on account of recognition accorded to Respondent No. 2 as NSF without withdrawal of recognition of Respondent No. 1 or without de-recognizing it, we deem it appropriate to issue the following directions:

- i. The Appellant shall issue a Show Cause Notice to Respondent No. 1 in terms of the Sports Code for withdrawal of the recognition within a period of five days from the date, with a copy to Respondent No. 2.
- ii. Respondent No. 1 shall submit a reply to the Show Cause Notice within a period of three days thereafter, with a copy to Respondent No. 2.



- iii. Respondent No. 2 shall make submissions to the Appellant within three days after Respondent No. 1 submits a reply to the Show Cause Notice, with a copy to Respondent No. 1.
- iv. Respondent No. 1 shall submit reply to the submissions made by Respondent No. 2 to the Appellant within three days thereafter.
- v. The Appellant shall decide the issue with regard to the recognition of the NSF for the sport of Taekwondo within a period of six weeks from today and pass a reasoned order after giving opportunity of hearing to both Respondent No. 1 and Respondent No. 2.
- vi. Till the decision by the Appellant with regard to the recognition of the NSF for the sport of Taekwondo, neither Respondent No. 1 nor Respondent No. 2 shall act as NSF as Respondent No. 1 has not fulfilled the condition of recognition by not getting recognition of 'World Taekwondo' and the recognition of Respondent No. 2 has been set aside *vide* the Impugned Judgment.

29. As the learned Counsel for the Parties have confirmed that no International Event for the sport of Taekwondo is likely to take place within next six weeks, no prejudice will be caused to anyone on account of the aforesaid directions.

30. It is, however, clarified that both Respondent No. 1 and Respondent No. 2 shall be at liberty to communicate with 'World Taekwondo' for the affiliation / recognition for being recognized as NSF for the sport of Taekwondo in India.



31. The Impugned Judgment is modified to the aforesaid extent.

32. The present Appeal and the Application stand disposed of.

LPA 776/2025, CM APPL. 80401/2025, CM APPL. 80404/2025, CM APPL. 506/2026

33. In view of the above Order passed in LPA 5/2026, the present Appeal needs no adjudication, which stands disposed of in terms of our Order passed in LPA 5/2026. The pending Applications also stand disposed of.

34. In the facts of case, there will be no order as to costs.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

JANUARY 6, 2026

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