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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10342/2019**
RAJASTHAN EQUESTRAIN ASSOCIATION

..... Petitioner

Through: Mr.Darpan Wadhwa, Sr. Adv. with
Mr.Ashish Kothari, Ms.Isha Tyagi &
Mr.Toyash, Advs.

versus

EQUESTRIAN FEDERATION OF INDIA AND ORS.

..... Respondents

Through: Mr.Ajay Digpaul, CGSC with
Mr.Soumava Karmakar, Mr.Sahaj
Garg, G.P for R-2.
Mr.Keshav Mohan, Mr.Rishi Awasthi
& Mr.Avinash Ankit, Advs. for R-3.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **23.09.2019**

CM APPL. 42733/2019 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 10342/2019 & CM APPL. 42732/2019 (Stay)

Issue notice. Notice is accepted by Mr.Ajay Digpaul, CGSC on behalf of respondent no. 2 and Mr.Keshav Mohan, Advocate on behalf of respondent no. 3. Let notice be served on respondent nos. 1 and 4 *dasti* as well as through electronic mode, returnable on 26th September, 2019.

NAVIN CHAWLA, J

SEPTEMBER 23, 2019/rv

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10342/2019 & CM APPL. 42732/2019 (Stay)**
RAJASTHAN EQUESTRAIN ASSOCIATION

..... Petitioner

Through: Mr.Darpan Wadhwa, Sr. Adv. with
Mr.Ashish Kothari & Ms.Isha Tyagi,
Advs.

versus

EQUESTRIAN FEDERATION OF INDIA AND ORS.

..... Respondents

Through: Mr.Viraj R Datar, Mr.Sanjay &
Ms.Meenal Duggal, Adv. for R-1.
Mr.Ajay Digpaul, CGSC with
Mr.Sahaj Garg & Mr.Soumava
Karmakar, Adv. for R-2.
Mr.Keshav Mohan & Mr.Rishi K
Awasthi, Adv. for R-3.
Ms.Sapaa Chauhan, Adv. for R-4.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **26.09.2019**

The learned counsel for the respondent no. 2 submits that pursuant to the request received from the respondent no. 1 for deputation of a Government Observer to the AGM of the respondent no. 1 scheduled for 29.09.2019, in which its elections are proposed to be held, respondent no. 2 has acceded to this request and would be appointing an Observer for this AGM. He further submits that a meeting is scheduled to be held on 11.10.2019 with Presidents and Secretary Generals of Indian Olympic Association (IOA) and the recognised National Sports Federation (NFS) to

inter alia discuss the National Sports Code. The meeting would be chaired by the Hon'ble Minister of State (Independent Charge) Youth Affairs and Sports and would also discuss the issues pertaining to the respondent no. 1. He submits that further decision on the respondent no. 1 will be taken on the outcome of the relevant deliberation in the above said meeting.

The learned counsel for the respondent no. 1 on the other hand submits that the petitioner is not entitled to any relief as he has come to the Court at the last moment. The elections were declared on 27.08.2019 and are scheduled to be held on 29.09.2019. Admittedly the respondent no. 1 has not been following the National Sports Code since 2011. He further submits that the respondent no. 1 has made a representation to the respondent no. 2 seeking exemption from the National Sports Code, which would be considered in the meeting to be held on 11.10.2019.

The learned senior counsel for the petitioner, however, submits that as the respondent no. 1 is admittedly not following the National Sports Code, the elections should not be held or should be postponed beyond 11.10.2019. He further submits that the respondent no. 2 as also the respondent no. 4 have already issued notices to the respondent no. 1 on this issue.

In my opinion, as the issue of the requirement of the respondent no. 1 to follow the National Sports Code and consequences of its not following the same are to be deliberated by the respondent no. 2 in the meeting to be held on 11.10.2019; and also for the fact that admittedly the respondent no. 1 was not following the National Sports Code since 2011; and the elections were notified on 27.08.2019; and in respect of the same the petitioner did not approach this Court at an earlier date, the equity can be balanced at this stage by directing that though the elections may be held by the respondent

no. 1 as scheduled, the results thereof shall not be declared or notified without seeking approval of this Court.

It is expected that respondent no. 2 would take decision on the representation of the respondent no. 1 as expeditiously as possible.

The respondent may file their counter affidavits within a period of four weeks from today. Rejoinder(s), if any, be filed within a period of two weeks thereafter.

List on 15th November, 2019.

Dasti.

NAVIN CHAWLA, J

SEPTEMBER 26, 2019/rv

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

+ W.P.(C) 10342/2019

RAJASTHAN EQUESTRAIN ASSOCIATION

..... Petitioner

Through: Mr.Ashish Kothari & Mr.Devang
Gautam, Advs.

versus

EQUESTRIAN FEDERATION OF INDIA AND ORS.

..... Respondents

Through: Mr.Ajay Digpaul, CGSC for R-2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **11.10.2019**

CM No. 44680/2019

List this application alongwith the petition on 15th November, 2019.

NAVIN CHAWLA, J

OCTOBER 11, 2019/rv

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

+ W.P.(C) 10342/2019

RAJASTHAN EQUESTRAIN ASSOCIATION Petitioner
Through Ms.Shaini Bhardwaj, proxy counsel
for the petitioner (7895664246)

versus

EQUESTRIAN FEDERATION OF INDIA AND ORS.
..... Respondents
Through Mr.Rakesh Chaudhary and Mr.T.P.
Singh, proxy counsel for the
respondent (9999008243).
Mr.Soumava karmakar proxy counsel
for Mr.Ajay Digpaul, CGSC for UOI.
Mr.Keshav Mohan, proxy counsel for
R-3.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **04.11.2019**

CM No.47610/2019 (Exemption)

Allowed, subject to all just exceptions.

CM No. 47609/2019

List this application with main petition on 15th November, 2019, the
date already fixed.

NOVEMBER 04, 2019/Arya

NAVIN CHAWLA, J

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 10342/2019 & CMs 42732, 44680, 47609/2019, 49131/2019
RAJASTHAN EQUESTRAIN ASSOCIATION Petitioner
Through: Mr.Darpan Wadhwa, Sr. Adv. with
Mr.Ashish Kothari, Ms.Isha Tyagi, Mr.Toyesh
Tiwari, Advs.

versus

EQUESTRIAN FEDERATION OF INDIA AND ORS.

..... Respondents

Through: Mr.V.R.Datar, Dr.Sanjay Gupta,
Ms.Meenal Duggal, Advs. for R-1.
Mr.Ajay Digpaul, CGSC with Mr.Sahaj Garg,
GP, Mr.Soumaya Karmakar, Adv. for R-2.
Mr.Keshav Mohan, Mr.Rishi Awasti,
Mr.Piyush Choudhary, Mr.Piyush Vats, Advs.
for R-3.
Ms.Sapna Chauhan, Adv. for R-4.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **15.11.2019**

CM 49131/2019(for condonation of 18 days delay in filing the counter affidavit)

For the reasons stated in the application, the delay in filing the counter affidavit on behalf of the respondent no.1 is condoned and the application stands allowed.

The counter affidavit is taken on record.

CM 44680/2019 (for correction of order dated 26.09.2019)

For the reasons stated in the application, the same is

allowed and the order dated 26.09.2019 is modified to be read as under:

*“The learned counsel for the respondent no.2 submits that pursuant to the request received from the respondent no. 1 for deputation of a Government Observer to the AGM of the respondent no. 1 scheduled for 29.09.2019, in which its elections are proposed to be held, respondent no. 2 has **not** acceded to this request and would **not** be appointing an Observer for this AGM....”*

CM 47609/2019

The respondent no.1 has filed the present application praying for permission to declare the results of its election held on 29.09.2019.

The learned counsel for the respondent no.1 submits that the earlier Governing Body of the respondent no.1 has become defunct and in absence of the Governing Body, the affairs of the respondent no.1 have come to a standstill.

The prayer made by the respondent no.1 is strongly opposed by the learned senior counsel for the petitioner. He submits that as a direction has been passed today for the respondent no.2 to take a decision on the recognition of the respondent no.1 within four weeks, the prayer made by the respondent no.1 in the present application may be rejected.

Having considered the submissions made by the learned counsels for the parties and only as an ad hoc measure, it is directed as under:

(a) the respondent no.1 is permitted to declare the results of its election held on 29.09.2019, clearly stipulating therein that

the declaration of such results will not create any right or interest in favour of the persons who have been elected in such election; further continuation of these persons in the Governing Body of the respondent no.1 shall be subject to the outcome of the present petition;

(b) I appoint Mr.S.Y.Quraishi, former Chief Election Commissioner of India, who has also served as a Secretary in the Ministry of Youth Affairs and Sports, Government of India, as an Observer to oversee the functioning of the respondent no.1. Mr.Quraishi shall have the power to call upon the Governing Body of the respondent no.1 to seek prior approval of this Court on any decision of the Governing Body that he disapproves of.

Mr.Quraishi is also requested to indicate the honorarium for this assignment.

The application is disposed of in the above terms.

W.P.(C) 10342/2019 & CM 42732/2019

Admittedly, in the meeting held on 11.10.2019, the respondent no.2 could not discuss the issues pertaining to the recognition of the respondent no.1 or its plea of exemption from following the National Sports Code.

As this would be an important consideration, the respondent no.2 is directed to take a decision on the representation of the respondent no.1 within four weeks from today.

The respondents shall file their counter affidavit(s) within four weeks. Rejoinder(s), if any, be filed within three weeks

thereafter.

List on 6th February, 2020.

Dasti.

NOVEMBER 15, 2019
RN

NAVIN CHAWLA, J

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10342/2019**
RAJASTHAN EQUESTRAIN ASSOCIATION Petitioner
Through: Mr.Ashish Kothari, Ms.Isha Tyagi,
Advs.

versus

EQUESTRIAN FEDERATION OF INDIA AND ORS.
..... Respondents
Through: Mr.Ajay Diggpaul, CGSC, UOI for R2.
Ms.Meenak Duggal, Adv. for R-1.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **20.12.2019**

CM 54682/2019 (delay of 47 days in filing the counter affidavit on behalf of R-3)

For the reasons stated in the application, the delay is condoned and the counter affidavit is taken on record.

The application stands allowed.

W.P.(C) 10342/2019

Rejoinder, if any, be filed within four weeks.

List on 6th February, 2020, the date already fixed.

NAVIN CHAWLA, J

DECEMBER 20, 2019
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