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

+ W.P.(C) 9962/2022

LAKSH RAWAL (MINOR) THROUGH SH. RISHI RAWL  
( LEGAL GARDIAN AND FATHER) AND ORS. .... Petitioners

Through: Mr. Prashant Katara and Mr. Parvez  
Bashista, Advs.

versus

UNION OF INDIA & ORS. .... Respondents

Through: Mr. Vineet Dhanda, Dr. J.P. Dhanda,  
Adv. for UOI.  
Mr. Hrishikesh Baruah, Mr. Parth  
Goswami, Mr. Akshay Kumar, Mr.  
Abhijeet Kumar, Advs. for R-2

**CORAM:**

**HON'BLE MR. JUSTICE YASHWANT VARMA**

**ORDER**

% **05.07.2022**

**CM APPL. 29156/2022(for exemption)**

Allowed, subject to all just exceptions.

The application shall stand disposed of.

**W.P.(C) 9962/2022 & CM APPL. 29155/2022(Interim Relief)**

1. Notice. Let all respondents represented by learned counsels file their replies on this writ petition within the period of six weeks.
2. The present writ petition has been preferred for a direction being framed commanding the second respondent, India Taekwondo, to forward the names of the petitioners for participation in the World Taekwondo Games to be held in Sofia, Bulgaria.
3. The petitioners assert that there is an emergent situation since unless their names are transmitted by the second respondent not later than today for

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the purposes of registration, they would not be permitted to participate in the Championship.

4. Admittedly it is the second respondent which is in fact recognised as the affiliate body by World Taekwondo. From the material placed on the record, it appears that initially the discipline of Taekwondo was being administered and managed by the Taekwondo Federation of India [TFI]. However, due to *inter se* disputes between the members of that body, it ceased to enjoy recognition by World Taekwondo. These and other facts relating to the managerial disputes in which TFI presently stands embroiled have been duly noticed by a learned Judge in W.P.(C) 11674/2019 and more particularly in the order of 28 April 2022.

5. Upon noticing the nature of disputes which had arisen, the learned Judge proceeded to pass the following operative directions:-

“5. The writ petition therefore deserves to be allowed by appointing a Court Commissioner-cum-Returning Officer for the purpose of conducting elections for the executive committee of the Taekwondo Federation of India. With the consent of the parties, the writ petition alongwith all pending applications is accordingly allowed by issuing the following directions:

i. Hon’ble Mr. Justice Sistani (+91-9871300034) a retired judge of this Court is appointed as the Court Commissioner-cum-Returning Officer for holding the elections to the executive committee of the Taekwondo Federation of India.

ii. The elections will be held preferably within a period of two months from today. It will be open for the learned Court Commissioner to appoint officials of the respondent nos.1, 2 or 4, as observers to oversee the elections if deemed necessary.

iii. The learned Court Commissioner-cum-Returning Officer will for the present be paid a sum of Rs.5 lakh as honorarium besides secretarial expenses. Keeping in view the fact that as on date, there is no recognized National Sports Federation for the sport of Taekwondo which is receiving any grant from the respondent no.1, it is directed that this amount will be borne equally by the

IOA and the respondent no.1. However, in case the task being entrusted to the learned Court Commissioner is not completed within a period of two months, it will be open for the parties to move an application to seek enhancement of the honorarium.

iv. The learned Court Commissioner will proceed on the basis of the Electoral College prepared by the Hon'ble Mr. Justice R.S.Sodhi (Retd.) on 04.05.2016, alongwith the amendments made in the Electoral College during the elections held in June, 2016 under the supervision of Hon'ble mr. Justice M.L. Mehta.

v. It will, however, be open for the learned Court Commissioner-cum-Returning Officer to further amend the Electoral College upon an application by any party, including a person who is not before this Court. The decision of the learned Court Commissioner on this aspect will be treated as final.”

6. Subsequently and on a review petition filed in those proceedings on 30 May 2022, the Court took note of the fact that the process which had been envisaged for the purposes of resurrection of TFI was likely to take some time and thus the interest of athletes would be gravely prejudiced since they would be placed in a situation where they would be unable to participate in Taekwondo events that may be held and conducted by World Taekwondo in the interregnum. In view of the aforesaid and till such time as the processes which were envisaged in the main order of 28 April 2022 were to complete their course, the Court passed the following directions:-

“5. The respondent no.6 is accordingly directed to forthwith submit/forward the names of the athletes selected by the respondent no.4 to the World Federation of India so as to enable them to participate in 6th Poomsae & 25th Asian Taekwondo Championships. The said communication will be accompanied not only by a copy of the order dated 28.04.2022 passed by this Court but also today's order and without any extraneous comments or observations being made in this regard by respondent no.6. In order to facilitate respondent no.6 in carrying out these directions, the respondent no.4 will within two hours forward the names of the selected candidates to respondent no.6.

6. It is expected that the respondent no.6 will faithfully forward and upload on the portal of World Taekwondo, the names of all the selected athletes as received from the respondent no.4 and the World Taekwondo

will also take into account the said team as representing the Indian team in Taekwondo.”

7. Undisputedly, the process of constitution of the managerial committee of TFI is yet to be completed. The Court further notes that even after the said process is completed, TFI would have to obtain requisite recognition from World Taekwondo. The Court also bears in mind a communication of 10 June 2022 sent by World Taekwondo in response to a communication of 30 May 2022 addressed by the second respondent to it. In that communication, the world body has noted that as per its rules, the only member in India recognised by it namely, India Taekwondo, the second respondent herein, is authorised to conduct selection and dispatch teams to World Taekwondo events. It appears that although pursuant to the order of 30 May 2022, the second respondent had forwarded the names of certain athletes, that request was not acceded to by World Taekwondo since those athletes were apparently not trained or selected by the second respondent.

8. The petitioners here however contend that they are gold medallists in their respective fields and have been duly selected and identified in events conducted by India Taekwondo. This position is also not disputed by learned counsel representing respondent No.2. In view of the aforesaid and till such time as the final directions of 28 April 2022 passed in W.P.(C) 11674/2019 are duly complied with, it would appear to be expedient to request the second respondent to forthwith forward the names of the petitioners here as part of the Indian Team in Taekwondo for the upcoming games to be held in Sofia.

9. The Court further directs in the interim, that the respondent No. 2 shall draw a list of all eligible athletes who had participated in the India

Taekwondo Open National Ranking Competition 2022 and who would be eligible to participate in the upcoming games at Sofia for the consideration of World Taekwondo. That list shall necessarily include the names of the petitioners whose eligibility to participate is conceded by respondent no. 2. The team so selected and framed by the respondent No.2 would be liable to be recognised as the Indian Taekwondo contingent.

10. The second respondent shall ensure that the names are duly forwarded to World Taekwondo as per the timelines framed by it. The Court further notes that the athletes who may be enlisted by respondent No.2 shall be entitled to participate in the upcoming events at their own cost and expenses.

11. List again on 10.10.2022.

12. Order *dasti* under the signatures of Court Master.

**YASHWANT VARMA, J.**

**JULY 5, 2022**

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