



2025:DHC:125



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

% *Judgment pronounced on: 13.01.2025*

+ **W.P.(C) 17973/2024**

TAEKWONDO FEDERATION OF INDIAPetitioner
Through: Mr. Rahul Mehra, Sr. Adv. along with
Mr. Saurabh Jain, Mr. Prayag Jain
and Mr. Chaitanya Gosain, Advs.

versus

INDIAN OLYMPIC ASSOCIATION & ORS.Respondents
Through: Mr. Vikash Singh and Mr. Ujjwal
Chaudhary, Advs. for IOA.
Mr. Sanjeev Mahajan, Mr. Parth
Goswami and Mr. Akshay, Advs. for
India Taekwondo.
Mr. Udit Dedhiya, SPC for UOI.
Mr. Shashank Garg, Sr. Adv. along
with Ms. Kanika Singh, Mr.
Siddhartha, Mr. Sahil Gupta and Mr.
Raghav Bhatia, Advs. for applicants.

+ **W.P.(C) 223/2025**

VIKAS SIWACH & ANR.Petitioners
Through: Mr. Amratansh Agrawal, Mr.
Rupender Singh and Mr. Kamal,
Advocates.

versus

TAEKWONDO FEDERATION OF INDIA & ORS. ...Respondents
Through: Mr. Saurabh Jain and Mr. Prayag
Jain, Advocates for R1.
Mr. Udit Dedhiya, SPC alongwith
Mr. Rudra Paliwal, GP for UOI.
Mr. Vikash Singh and Mr. Ujjwal
Chaudhary, Advs for R2 and R4.



**CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA**

JUDGMENT

SACHIN DATTA, J.

CM APPL.906/2025 (for vacation of order dated 24.12.2024) in **W.P.(C) 17973/2024**

W.P.(C) 223/2025

1. CM APPL. 906/2025 in W.P.(C) 17973/2024 raises a grievance, as regards the selection process for the purpose of participation in the upcoming National Games to be held at Uttarakhand commencing from 28.01.2025 (hereinafter '*the National Games*'). The applicants are international players of the sport of Taekwondo and have represented India at various international tournaments. In W.P.(C) 17973/2024, the petitioner is Taekwondo Federation of India (TFI), the respondent no.1 is the Indian Olympic Association (hereinafter '*the IOA*'), respondent no.2 is the Games Technical Conduct Committee (hereinafter '*the GTCC*') and respondent no.3 is the Union of India.

2. It is the contention of the applicants in CM APPL. 906/2025 that a piquant situation has been created on account of the order dated 24.12.2024, passed by this Court, inasmuch as the said order interdicts with the selection process set out in a communication dated 20.12.2024 issued by the Indian Olympic Association (hereinafter '*the IOA communication*').

3. The IOA communication contemplates that for the sport of Taekwondo, the selection of athletes shall be based on an open trial to be



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conducted by the selection committee appointed by the IOA/GTCC. These selection trials were contemplated to be open to all taekwondo athletes. The relevant stipulation in the aforesaid IOA communication reads as under:-

“2.2 For Taekwondo, the selection of athletes shall be organized at Dehradun, Uttarakhand under a selection committee appointed by the IOA/GTCC. These selection trials shall be open to all Taekwondo athletes. For Individual events, the Top 8 athletes (M,W) in each weight category shall be eligible to represent their respective States. In Team events, the selection committee shall promulgate the ranking of the Teams, and the Top 8 teams (M,W) comprising 3 athletes each shall be eligible. For the Mixed pair event, the selection committee shall promulgate the list of the Top 8 pairs who shall be eligible to participate. These trials should adhere to standardized and transparent procedures to ensure fair representation of deserving athletes.”

4. However, *vide* order dated 24.12.2024, this Court accepted the plea of the petitioner that since the petitioner in W.P.(C) 17973/2024 (Taekwondo Federation of India) continues to be the recognized National Sports Federation (NSF) for the sport of Taekwondo, the task of selection of athletes for the said sport must be left to the said NSF. Accordingly, the IOA communication was stayed by the said order dated 24.12.2024.

5. The procedure adopted by the Taekwondo Federation of India for the purpose of selection of athletes for the participation in the upcoming National Games is set out in its communication/invitation dated 26.08.2024 addressed to all affiliated State Taekwondo Associations/Central Organizations. The same contemplates that the top 8 ranked athletes in the ‘Senior under 30 years male and female individual categories’ in the 13th National Senior Poomsae Taekwondo Championship, 2024 held from 17th to 20th October, 2024 (Poomsae event) will be eligible for participation in the



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forthcoming 38th National Games to be held in Uttarakhand. While the said communication/invitation was for the Poomsae event, TFI issued another communication/invitation dated 26.08.2024 and made an identical stipulation therein in the context of the 40th Senior Kyorugi Taekwondo Championship, 2024 for the Kyorugi event held from 17th to 20th October, 2024 (hereinafter the two events i.e. Poomsae and Kyorugi are collectively referred as '*the National Championships*').

6. In fact, in the said National Championships, 563 Taekwondo athletes in the Kyorugi event and 422 athletes in the Poomsae event had participated thereby representing the affiliated state associations/central organizations from across the country. On the basis of the performance in the said national championships, 208 players were selected out of all the players in both the events i.e. Kyorugi and Poomsae, for the purpose of participation in the upcoming 38th National Games.

7. It appears from the grievance made out by the applicants in CM Appl. 906/2025 in W.P.(C) 17973/2024 and by the petitioners in W.P(C) 223/2025 that certain renowned players/athletes have been excluded from the zone of consideration. It is contended by the applicants in CM Appl. 906/2025 in W.P.(C) 17973/2024 that they have a vested right to participate in an open selection trial contemplated to be held in terms of the IOA communication dated 20.12.2024 and since that avenue has been closed by the impugned order dated 24.12.2024 passed in W.P.(C) 17973/2024, they are gravely prejudiced inasmuch as they have been precluded from participation in the 38th National Games despite their credentials.



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8. The exclusion of deserving athletes/players from the zone of consideration is also corroborated by the factual conspectus in WP(C) 223/2025. The petitioner no.1 in the said case represented Assam Rifles, (a paramilitary force) in the category of Senior Male - under 87 Kg and petitioner no.2 also represented Assam Rifles in the category of Senior Female - over 73 Kg, in the Kyurogi event of the said National Championships. Both the petitioners won bronze medals in their respective categories. It is their case that by virtue of their performance, they are automatically eligible for a spot in the 38th National Game 2025 to be held in Uttarakhand, and particularly since it is TFI's own case that performance in the said National Championships was to be the basis for participation in the upcoming 38th National Games.

9. Learned counsel for the TFI (respondent no.1 in W.P.(C) 223/2025) accedes that the said petitioners are in fact bronze medalists in the Kyurogi event of the National Championships held in October, 2024. However, the non-inclusion/ non-selection of the petitioners, for the purpose of participation in the upcoming National Games, is sought to be justified on the basis of a stipulation in a communication dated 26.08.2024 issued by the TFI wherein it has been stated as under:-

“Except athletes from SSCB who will be in top 8 Ranking, Athletes representing Central Organizations like CRPF, ITBP, CISF, Assam Rifles, SSB etc win a Medal or in the top 8 Ranking, in the 40th National Senior Taekwondo Championships, they will not be eligible for direct participation in the 38th National Games. Such Athletes should represent their Home State or from the State deputed for work or should take NOC (prior 6 months from the schedule of National Games) from the concerned department to represent another State and in such case, Athlete should participate in the State Championships from where they



would like to participate and simultaneously participate in the 40th National Championships.”

10. Evidently, except athletes from SSCB, athletes representing Central Organizations like CRPF, ITBP, CISF, Assam Rifles, SSB in the Kyurogi events of the National Championships, have not been considered to be eligible for participation in the National Games despite their performance in the National Championships unless they have routed their participation through their concerned home state. Learned counsel for the petitioners in W.P.(C) 223/2025 submits that this is contrary to past practice.

11. All the parties are in agreement that some arrangement needs to be worked out to ensure participation of deserving athletes/players who have been left out from participation in the National Games pursuant to the selection exercise carried out by the TFI. This is necessitated in view of the peculiar circumstances surrounding the sport of Taekwondo in India where despite the TFI having been the recognised NSF, the International body (World Taekwondo) has recognised another organisation namely ‘India Taekwondo’ (IT), and a large number of athletes/players participate/compete in the events organised by IT but not in the events organised by TFI.

12. Learned counsel for TFI has suggested that an arrangement be put in place, in line with the directions issued, by this Court in W.P.(C) 13367/2023, in the context of the previously conducted National Games. The said petition was also filed by certain athletes/players who were precluded from participation in the National Games since they had not participated in the concerned National Championships preceding the National Games. In that case, it was directed as under:-



“8. In the interest of justice and with the consent of learned Counsel for the Petitioners, Respondent No.5 and the Indian Olympic Association, it is directed that Respondent No.5 shall conduct fresh trials for selecting one player in each weight category for both male and female category except for 67 Kg. female category. After the trials, one player be selected in each weight category for both male and female who would be given a wild card entry to participate in the National Championship. A draw of lot be conducted amongst the players already selected to determine the player who will contest with the wild card and the winner in the bout will proceed to the next round to compete with the other seven contestants and proceed further.

9. Union of India is directed to bring out a public notification not later than 22.10.2023 specifying the venue and time of the trials. The Petitioners and all the other participants throughout the country, who have not participated in the National Championship organized by the Respondent No.5 herein, are permitted to participate in the trials.”

13. On the other hand, learned counsel for the applicants in CM APPL.906/2025 in W.P.(C) 17973/2024, and learned counsel for the IOA submit that it would be apposite if a comprehensive open selection trial is conducted for the purpose of selection of athletes for participation in the National Games, in which all athletes are permitted to participate. However, since the National Games are virtually around the corner (commencing from 28.01.2025), this course does not commend to this Court inasmuch as it would not be fair to the already selected 208 players, who are not parties to the present proceedings, to be subjected to fresh selection trials at this stage, when they have been training for the last three months for the purpose of participation in the upcoming National Games.

14. At the same time, since it is not disputed by any of the parties that a suitable arrangement needs to be set in place for suitable consideration of the deserving athletes, who have been kept out of the zone of consideration,



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this Court is inclined to put in place a mechanism similar to that devised in the context of the previous National Games, and as set out in the order dated 20.10.2023 in W.P.(C) 13367/2023.

15. It is noticed that the athletes who have been left out from the zone of consideration comprise of two streams:

(i) reputed international players who have not participated in the events organised by the Taekwondo Federation of India, including the National Championships.

(ii) athletes/players from the Central Organizations/Para Military Forces like CRPF, ITBP, CISF, Assam Rifles and SSB who have either not participated in the aforesaid National Championships held in October, 2024 or, whose participation have not been routed through their respective state association.

16. In the circumstances, to accommodate the left out players/athletes as stated above, it would be apposite to pass a similar direction contained in the order dated 20.10.2023 passed in W.P.(C) 13367/2023 with the only modification that instead of selecting only a single wild card entrant in the relevant weight category, two wild card entrants are selected so that the left out athletes/players get an adequate opportunity. Learned counsel for TFI accedes to the same.

17. Since, the learned counsel for UOI has submitted in these proceedings that TFI has been recognized as the National Sports Federation (NSF) for the sport of Taekwondo and yet not been de-recognised (although the recognition is stated to be under review), it would be apposite that the fresh



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open selection trials are conducted under the aegis of the TFI. However, a representative of IOA and/or GTCC shall be entitled to remain present and oversee the conduct of the trials.

18. Accordingly, the following directions are issued:

(i) TFI shall conduct fresh selection trials, within a period of one week from today, for the purpose of selecting two players in each weight category for both male and female category. After the trials, two players shall be selected in each weight category for both male and female, who would be given a wild card entry to participate in the 38th National Games, 2025. A draw of lots to be conducted amongst the players already selected to determine the players who will contest with the wild card entrants, and the winner in the bout will proceed to the next round to compete with the remaining contestants, and proceed further.

(ii) A public notification/communication shall be issued by the TFI specifying the date, venue and time of the trials. The same shall be fixed in consultation with the IOA subject to the selection trials being concluded within a period of 10 days from today. The applicants in CM APPL.906/2025 in W.P.(C) 17973/2024, and petitioners in W.P.(C) 223/2025 and all other participants throughout the country who have not participated in the National Championships organised by TFI in October, 2024, will be permitted to participate in the trials.

Members of the paramilitary force (such as the Assam Rifles) who have participated in the National Championship but have not



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been considered for selection by the TFI on account of their participation in the said National Championships having not been routed through the concerned home state shall also be entitled to participate in the trials in these proceedings.

19. With the above directions, the CM APPL. 906/2025 in W.P.(C) 17973/2024 and W.P.(C) 223/2025 stand disposed of.

SACHIN DATTA, J

JANUARY 13, 2025

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