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

Date of Decision: 09.01.2025

+ W.P.(C) 5626/2010, CM APPL. 11060/2010 & 8653/2011

INDIAN HOCKEY FEDERATION

.....Petitioner

Through: None

versus

UOI & ORS.

.....Respondents

Through: Ms. Shyel Trehan, Sr. Advocate with
Mr. Rohan Poddar and Mr. Raghav
Anand, Advocates for R-3.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

TARA VITASTA GANJU, J.: (Oral)

1. The present Petition was filed by the Petitioner seeking the following relief:

“i) issue a writ, order or direction in the nature of Certiorari quashing the impugned notice dated 23.07.2010 issued to the Petitioner Federation by Respondent No. 2 and any decision taken in furtherance thereof;

ii) Issue a writ, order or direction in the nature of Mandamus directing Respondent No. 1 to institute an independent inquiry as regards the correctness of the decision of the Respondent No. 2 or the concerned International Federation or Asian Federation before initiating any action against the National Sports Federation in pursuance of the decisions of such bodies, under Guidelines For Assistance to National Sports Federations as amended from time to time and not insist upon the recognition of IOA or concerned International Federation if the same is being withheld unreasonably.

iii) Pass such other orders or directions as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”



2. None appears on behalf of the Petitioner. There was no appearance on the previous date as well. None appears on behalf of Respondent Nos.1 and 2 either.

3. Learned Senior Counsel for Respondent No.3 submits that the present Petition has become infructuous. It is explained that this Petition was filed by the Petitioner impugning a show-cause notice/decision dated 23.07.2010 taken by Respondent No.2 [hereinafter referred to as the “Impugned SCN”] in relation to the non-recognition of the Petitioner as the National Hockey Federation and to the recognition accorded to Respondent No.3. It is contended that this issue is moot since Respondent No.3 was and has repeatedly been held to be the National Sports Federation for Hockey in India.

4. Learned Senior Counsel for Respondent No.3 places reliance on the following extract of the Impugned SCN to submit that Respondent No.3 was granted recognition by Respondent No.2, Asian Hockey Federation and International Hockey Federation (FIH) even previously and that recognition has continued annually and is even valid today:

*“In view of the aforesaid facts and circumstances, I, the President of Indian Olympic Association while exercising my powers vested in me by the Memorandum of Association of IOA and upon having been vested with the authority to take appropriate action with regard to IHF and Hockey in India, by the General Body, call upon the Indian Hockey Federation through its President/Secretary to show cause as to **how the Indian Hockey Federation can be a member or affiliated with the Indian Olympic Association and ALSO further the recognition granted earlier be deemed as withdrawn pursuant to the aforesaid facts.**”*

In case a satisfactory reply is not received within 7 days of receipt of this notice, the IOA shall be constrained to initiate appropriate proceedings and take such further actions as deemed proper in given facts and circumstances.



Needless to say Hockey India is the National Sports Federation of Hockey, which has been granted recognition by IOA, FIH, Asian Hockey Federation as well as the Government of India and hence this notice does not give you any right or cause against Hockey India or its activities.”

[Emphasis supplied]

5. Learned Senior Counsel for Respondent No.3 has handed over a hard copy of documents today. The Registry is directed to scan and upload the same so that it remains embedded in the case file. Let the same be also placed on record by Respondent No.3.

6. Learned Senior Counsel for Respondent No.3 further submits that during the pendency of the present Petitions, the Petitioner had also approached the Court of Arbitration for Sports in Lausanne, Switzerland [hereinafter referred to as “Court of Arbitration for Sports”] by way of a claim petition with a similar relief to which Respondent No.3 was also a party. After detailed hearing in the matter, the Court of Arbitration for Sports dismissed the appeal filed by the Petitioner and affirmed the decision of the International Hockey Federation Congress dated 01.11.2014 to recognise Hockey India/Respondent No.3 as the member of International Hockey Federation for India.

6.1 Reliance is placed on the following extract of the Award passed by Court of Arbitration for Sports on 17.09.2015 in this regard:

“The Court of Arbitration for Sport rules that:

- 1. The appeal filed by the Indian Hockey Federation on 28 November 2014 is dismissed.***
- 2. The decision of the International Hockey Federation Congress dated 1 November 2014 is confirmed.*
- 3. The costs of the arbitration, to be determined and served to the parties by the CAS Court Office, shall be borne by the Indian Hockey*



Federation.

4. **The Indian Hockey Federation shall make a contribution of CHF 6'000 towards the legal fees and expenses incurred by each of the International Hockey Federation and Hockey India in connection with these arbitration proceedings.**

5. *All other motions or prayers for relief are dismissed.”*

[Emphasis supplied]

7. In addition, learned Senior Counsel for Respondent No.3 submits that it is Respondent No.3 that has been the National Sports Federation for the Hockey sports in India and that Respondent No.3 has continued as the Sports Federation since the year 2009. She seeks to rely upon a letter dated 19.01.2024 as issued by Respondent No.1 wherein the annual recognition of Hockey India has been renewed by Respondent No.1.

8. Learned Senior Counsel for Respondent No.3 further relies upon an order dated 10.10.2022 passed in SLP 14533/2022 captioned ***Indian Olympic Association v. Union of India & Ors.***, by which the Supreme Court appointed Justice L. Nageshwar Rao (Retd.) for the purposes of deciding whether the Petitioner or Respondent No.3 Federation would be entitled to vote in the elections to the Executive Committee of Respondent No.2.

8.1 By an order dated 03.11.2022 passed by the learned Administrator, it was held that since Respondent No.3 is the existing member of Indian Olympic Association being the National Sports Federation for Hockey in India, its nominees are entitled to participate in these elections and rejected the claim of the Petitioner.

9. Learned Senior Counsel for Respondent No.3 thus submits that in the given circumstances, the issue that has been raised by the Petitioner no



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longer survives.

10. As stated above, none appears for the Petitioner today. There was no presence on the last date of hearing as well. In view of what is stated above, the Petition is dismissed. All pending Applications stand closed.

TARA VITASTA GANJU, J

JANUARY 9, 2025/pa/ ha

Click here to check corrigendum, if any