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

% **Date of Decision: 22.08.2025**

+ W.P.(C) 3835/2025 & CM APPL. 52050/2025

DIGVIJAY SINGH

.....Petitioner

Through: Mr. Chaitanya Mahajan and Mr.  
Keshav Garg, Advs.  
Mob: 9646930009

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ruchir Mishra, Mr. Mukesh  
Kumar Tiwari, Ms. Reba Jena  
Mishra, Ms. Poonam Shukla, Advs.  
with Mr. Devvrat Yadav (GP), for R-  
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**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**MINI PUSHKARNA, J: (ORAL)**

1. Learned counsel appearing for respondent no. 2, i.e., President of the Boxing Federation of India, submits that the present writ petition has already become infructuous, as elections to the Boxing Federation of India have already been held on 21<sup>st</sup> August, 2025. He further submits that the petitioner herein took part in the said election for the post of Secretary General. However, the petitioner lost the elections.
2. *Per contra*, learned counsel appearing for the petitioner submits that



the present petition would still be maintainable, as the petitioner has filed the present petition with regard to quashing the Suspension Letter dated 18<sup>th</sup> March, 2025, issued by respondent no. 1 and has sought further direction to reinstate the petitioner to his post of Treasurer in the Boxing Federation of India.

3. Learned counsel appearing for the petitioner further draws the attention of this Court to the Suspension Letter dated 18<sup>th</sup> March, 2025 to submit that the petitioner was suspended on the ground that he had been found guilty of serious charges of financial irregularities and mismanagement of funds.

4. Thus, learned counsel appearing for the petitioner submits that the reputation of the petitioner has been harmed, therefore, it is imperative for this Court to hear the present matter and grant relief to the petitioner, thereby setting aside the Suspension Letter dated 18<sup>th</sup> March, 2025.

5. Having heard learned counsel appearing for the parties, this Court notes that the present writ petition has been filed with the following prayers:

“xxx xxx xxx

**a. Issue a writ of Certiorari or direction quashing the arbitrary suspension order dated 18.03.2025 issued by respondent no. 2, declaring the suspension as illegal, void, and in violation of the principles of natural justice, and directing the respondents to reinstate the petitioner to his position as secretary general of the boxing federation of India.**

**b. Issue a writ of Mandamus, directing the Respondents to reinstate the Petitioner to the position of Treasurer of the Boxing Federation of India (BFI) with immediate effect and allow him to discharge his official functions without interference.**

**c. Issue a writ of Prohibition, restraining Respondent No. 2 from taking any further coercive or adverse actions against the Petitioner in violation of the National Sports Development Code of India, 2011, and the Memorandum of Association of BFI.**



*d. Pass any other order or direction as this Hon'ble Court may deem just and proper in the interest of justice, fairness, and good governance in sports administration*

*xxx xxx xxx*"

*(Emphasis Supplied)*

6. Perusal of the aforesaid prayer clauses clearly shows that the present writ petition has been filed by the petitioner, as the petitioner was aggrieved by the Suspension Letter dated 18<sup>th</sup> March, 2025, wherein, the petitioner herein had been suspended from the post of Treasurer of the Boxing Federation of India.

7. It is to be noted that the elections to the Boxing Federation of India have already been held on 21<sup>st</sup> August, 2025.

8. Though, this Court in the other matters pertaining to the elections of the Boxing Federation of India, has already clarified that any election held in relation to the Boxing Federation of India, shall be subject to the outcome of the said writ petitions, it is clear that even if this Court was to set aside the elections which were held on 21<sup>st</sup> August, 2025, the relief as prayed in the present writ petition, cannot be granted to the petitioner.

9. At best, in case that this Court is convinced that the elections held on 21<sup>st</sup> August, 2025, were not held as per the norms, the Court would pass appropriate orders for holding of fresh elections, in accordance with law. However, when the term of the earlier executive is already over, even if this Court was to set aside the Suspension Order/letter of the petitioner, the Court cannot in any manner reinstate the petitioner to the post of Treasurer of the Boxing Federation of India, for a term, which has already ended by efflux of time.

10. This Court takes note of the fact that the petitioner herein took part in



the elections held on 21<sup>st</sup> August, 2025, wherein the petitioner herein stood for the post of Secretary General. However, the petitioner has lost the said elections. Thus, once the petitioner has already taken part in the subsequent election process and has accepted the subsequent election process, the petitioner cannot be allowed to approbate and reprobate in order to seek the reliefs in the present petition, only on account of the fact that the petitioner has lost elections in the new election process held on 21<sup>st</sup> August, 2025. Thus, the Supreme Court in the case of *Mumbai International Airport Private Limited Versus Golden Chariot Airport and Another*, (2010) 10 SCC 422, which discussing the principle of a litigant approbating and reprobating, held as under:

“xxx xxx xxx

50. Ashutosh Mookerjee, J. speaking for the Division Bench of the Calcutta High Court in *Dwijendra Narain Roy v. Joges Chandra De* [AIR 1924 Cal 600], held that **it is an elementary rule that a party litigant cannot be permitted to assume inconsistent positions in court, to play fast and loose, to blow hot and cold, to approbate and reprobate to the detriment of his opponent.** This wholesome doctrine, the learned Judge held, applies not only to successive stages of the same suit, but also to another suit than the one in which the position was taken up, provided the second suit grows out of the judgment in the first.

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53. This Court in *C. Beepathuma case* [AIR 1965 SC 241 : (1964) 5 SCR 836] at AIR p. 246, para 17 also took note of the principle stated in *White & Tudor's Leading Case in Equity*, Vol. 18th Edn. at p. 444, wherein it is stated:

**“Election is the obligation imposed upon a party by courts of equity to choose between two inconsistent or alternative rights or claims in cases where there is clear intention of the person from whom he derives one that he should not enjoy both ... That he who accepts a benefit under a deed or will must adopt the whole contents of the instrument.”**

xxx xxx xxx”

(Emphasis Supplied)



11. Thus, when the petitioner has already accepted the new election process and has also participated in the same, the petitioner cannot now seek any relief for reinstatement to a post, which the petitioner held in the previous tenure. Once the term of the Executive has expired and fresh elections have been held, no person can claim any vested right for reinstatement to a post, whose tenure is no longer valid.

12. Further, this Court notes that the Suspension Letter dated 18<sup>th</sup> March, 2025, has been passed on the basis of certain findings of financial irregularities and mismanagement of funds, against the petitioner. However, the said findings have not been challenged before this Court.

13. Accordingly, no relief can be granted by this Court in the present proceedings.

14. However, if the petitioner wishes to seek his remedies to challenge any findings against him with regard to financial irregularities or mismanagement of funds or any harm to his reputation, the petitioner is at liberty to seek his remedies, in accordance with law.

15. Accordingly, the present writ petition, along with the pending applications, is disposed of.

16. The next date of hearing, i.e., 23<sup>rd</sup> September, 2025, stands cancelled.

**MINI PUSHKARNA, J**

**AUGUST 22, 2025/SK**