



2026:DHC:9133



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

% ***Date of Decision: October 13th, 2026***

CNR No. DLHC010494482026

+ **W.P.(C) 15193/2026 & CM APPL. 71289/2026, CM APPL. 71290/2026**

PRASHANT SUDARSHAN ARKAL & ORS.Petitioners

**Through: Mr. Shubham Dayma,
Advocate.**

versus

UNION OF INDIA & ORS.Respondents

**Through: Mr. Premtosh K. Mishra,
CGSC with Mr. Arvind, GP,
Mr. Krish Bhatia, Mr. Vasu
Aggarwal and Ms. Saksh
Mangla, Advocates for UOI.
Mr. Ramneek Mishra, Ms.
Nikita Jha, Advocates for R4.**

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. (Oral)

1. By way of the present petition, the Petitioners seek the following reliefs: -

“PRAYER

In light of the above-stated facts and circumstances, so also the settled position of law, it is most humbly prayed that this Hon'ble Court may be pleased to:

A. Issue a writ of certiorari, or any other appropriate writ, order or direction, quashing the Impugned Sanction dated 01.10.2026 (Annexure P-1) issued by Respondent No. 1 to the extent it excludes Petitioner

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Nos. 1 to 5;

AND

B. Strike down para 12 of the letter dated 24.09.2025 (Annexure P-4) by declaring that the same does not bar participation of selected athletes at their own cost and expense;

OR

C. Read down para 12 of the letter dated 24.09.2025 (Annexure P-4) by declaring that the same does not bar participation of selected athletes at their own cost and expense;”

2. It is the case of the Petitioners that they are 5 international Para-cyclists who were unanimously selected by the duly constituted Selection Committee on 16.07.2026, to represent India in the Para Cycling discipline at the 5th Asian Para Games, Aichi-Nagoya 2026, (“**APG 2026**”) which is scheduled to be held from 18.10.2026 to 24.10.2026. The Respondent No. 1/Union of India, Ministry of Youth Affairs and Sports, administers the National Sports Development Code of India, 2011 (“**NSDC**”); the Respondent No. 2/Sports Authority of India is to bear the expenditure of participation of the Indian contingent in the APG 2026; the Respondent No. 3/the Paralympics Committee of India is through which the participation of the Indian contingent in the APG 2026 is routed; and the Respondent No. 4/ Cycling Federation of India is the National Sports Federation for cycling, including Para-cycling.

3. It has been further submitted that on 24.09.2025, Respondent No. 1 issued letter No. 70-9/2025 Governance-I formulating the “*Selection Criteria for Individuals and Teams for Participation in the 2026 Asian Games, Para-Asian Games 2026 and other multi-sports events*”. On 02.02.2026, the *Union Cycliste Internationale* (worldwide

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governing body for sports cycling) published the Asian Para Cycling Nations Rankings 2025, in which India stands 6th in the Men's ranking (1016 points) and 4th in the Women's ranking (456 points). As per the Aichi-Nagoya 2026 Asian Para Games Qualification Criteria – Version 4 dated 30.03.2026, India stood entitled to 4 male and not less than 2 female Para Cycling slots and each of the Petitioners satisfies the eligibility conditions of the Selection Policy for the APG 2026 and are ranked within the top six Asian Nations in at least one discipline, with Petitioner Nos. 4 and 5 being ranked 2nd in Asia (Track) for 2026 and 7th in the world in their respective sport classes as on 29.09.2026.

4. It has been further submitted that on 16.07.2026, the Selection Committee had also unanimously selected the Petitioners (together with Sh. Aditya Mehta as Coach and Ms. Asha Anwar Shaikh, a female physiotherapist, amongst the support staff and the Respondent Nos. 3 and 4 had also submitted the complete Para Cycling team proposal to the Respondent No. 1).

5. However, *vide* the Impugned Sanction Order dated 01.10.2026, only 1 Para-cyclist namely – Mr. Arshad Shaik, has been granted approval for participation.

6. It is thus urged that the Petitioners be allowed to participate since there are vacant slots, for which no participant has been approved and they are willing to bear their own expenses.

7. The Learned Counsel for the Respondent vehemently opposes the present petition, essentially on the ground of ineligibility of the petitioners and non-fulfilment of the selection criteria prescribed by the Ministry. A short note of submission is also handed over by the

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counsel for respondent.

8. It has been informed that India was allocated 4 slots for Men and 3 slots for Women. The Selection of the Participants is governed by Ministry's Circular dated 24.09.2025, for measurable and non-measurable sports, which provides that, since para-cycling is in the "measurable category", the rankings of the players in any competition were not the relevant benchmark for participation.

9. Attention of this Court has been drawn to Clause 4 of Circular dated 24.09.2025, which prescribes the objective performance benchmarks, as under: -

"4. Benchmarks for individual sports and events and team sports and events

4.1 The benchmarks are being prescribed so that likely medal probable are representing India and quality of the participation is ensured in multidisciplinary sports events such as Asian Games, Para-Asian Games, Commonwealth Games, Asian Indoor games, Asian Beach Games, Youth Olympics, Asian Youth Games, Commonwealth Youth Games, similar events in para-sports as also the winter editions of such games.

(I) Measurable Individual Sports and Events:

a. Where the sport or event was contested at the last Asian Games The NSF will be eligible to nominate an athlete if the athlete has matched or bettered the 6th-place performance from the last Asian Games at a competition recognized by the international sports federation for that sport, held within the 12 months preceding the upcoming Asian Games.

b. Where the sport or event was not contested at the last Asian Games but Senior Asian Championships was conducted for the sport or event within 12 months preceding the upcoming Asian Games - The NSF will be eligible to nominate an athlete if the athlete has matched or bettered the 6th-place performance from the last Senior Asian Championships at a competition recognized by the international sports federation for that sport, held within the 12 months preceding the upcoming Asian Games."

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10. It is discernible from the above that Clause 4.1 (I) (a) governs cases where the relevant sport/event was contested in the last Asian Games and provides the benchmark of qualification to be *matched or bettered Sixth-place performance* in those Games, in an international competition conducted preceding 12 months from upcoming Asian Games. Clause 4.1 (I) (b) governs cases where the sport/ event was not contested in the last Asian Games, but a Senior Asian Championship was conducted (in preceding 12 months) and provides the benchmark of qualification to be *matched or bettered Sixth-place performance* the said Senior Asian Championship, in an international competition conducted preceding 12 months from upcoming Asian Games..

11. This Court has been informed that Asian Championships for both Para track and Para Road events were conducted in 2026 itself. For Track events, none of the athletes recommended matched the 6th place timings of the Asian Para Games 2022 at any International Competition. For Para road cycling events, 6th place timings of the Asian Para Games 2022 were not comparable as the distances vary at different Fields of Play and therefore, Clause 4.1 (I) (b) would be applicable.

12. Further, it has been informed that, Clause No. 6 of the Circular provides for determination of ranking Cut-off in cases where the participation in Asian Championship is low, as in the present case. The same provides as under: -



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6. **Determination of ranking cut off in cases where there is low participation in Asian Championships**

Number of participating countries at Asian Championships

- If number of competing countries are less than 12 in an event, then the following shall be considered:

No. of participating countries in a particular event at Asian Championships	Position required to secure Asian Games eligibility
6-12	Top 4
Less than 6	Top 2

13. The same requires that where no. of competing countries is between 6-12 then for selection an athlete has to be within TOP 4 and where countries are less than 6, then for selection an athlete has to be within TOP 2.

14. Thus, in view of the above eligibility criteria, the Respondents had compared the positions secured in Asian Para Road Championship 2026, and since only Mr. Arshad Shaik had finished at the 4th position in Individual Time Trial out of 9 athletes from 6 countries, his name was selected. The details of the Petitioners and their relevant ranks, who were not recommended, have been are provided by the respondents as under: -

S.No.	Athlete	Event	Performance in Asian Championship or other international events
1	Pavan Kumar Kommoji	Para Road Cycling MC3	Asian Para Road Championships 2026, Feb 2026: 5 th in Time Trial & 5 th in Road Race (5 Athletes, 5 countries)
2	Sameer	Para Road Cycling MC4	Not participated in Asian Para Road Championship 2026

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			Performance in Korat Para Cycling Cup, Dec 2025 taken into account Time Trial – 5 th out of 7 athletes from 6 countries
3	Prashant Sudarshan Arkal	Para Road Cycling MH4	Asian Para Road Championships 2026, Feb 2026: 4 th in Individual Time Trial (4 Athletes, 4 countries)
4	Vishvaben Babubhai Vasani	Para Road Cycling WC3	Asian Para Road Championships 2026, Feb 2026: 2 nd in Individual Time Trial (2 Athletes, 2 countries) UCI Para Cycling Road World Cup, Thailand, Mar 2026 Individual Time Trial – 5 th out of 5 athletes from 5 countries Korat Para Road Cycling Cup, Dec 2025 Individual Time Trial 15.6 km- 3 rd (3 athletes, 3 countries)
5	Lisha Das	Para Road Cycling WC5	Not participated in Asian Para Road Championship 2026 Performance in UCI Para Cycling Road World Cup, Thailand, Mar 2026 taken into account Time Trial- 10 th out of 10 athletes from 9 countries Korat Para Cycling Cup, Dec 2025 Individual Time Trial-3 rd out of 4 athletes from 4 countries.

15. The above reflects that the Respondent had duly considered the prospects of the Petitioners in view of the eligibility criteria laid by the Ministry and this Court finds merit in the above explanation furnished by the Respondent that merely because the slots exist, the same cannot

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cure the ineligibility of the Petitioners. The existence of a quota/slot represents only the maximum no. of entries permitted and does not create an automatic right for participation.

16. This Court, while exercising jurisdiction under Article 226 of the Constitution of India, cannot issue a writ of mandamus directing the authorities to alter the finalised contingent at this stage or take a different view regarding the eligibility unless the view taken is arbitrary. The decision to exclude/include athlete from participation in particular category is objectively taken, keeping in mind the feasibility of sending athletes, by the authorities and subject experts which cannot be interfered with.

17. As regards the plea that the Petitioners may be permitted to participate at their own cost, the same is in teeth of *Clause 12* of the Circular which provides that only those sportsman whose name has been cleared at the cost of Government can be a part of the Indian Contingent. This Court cannot substitute its own assessment of the Petitioners medal prospects for the assessment reflected in the notified criteria and cannot override the policy and eligibility criteria so prescribed by the domain experts or dilute the standards so prescribed.

18. Even otherwise, the sanctioned contingent has already been finalised and acted upon. No order can be passed at this stage, given that this exercise would undisputedly require multiple administrative clearances.

19. In view of the above, no ground to exercise jurisdiction under Article 226 is made out to interfere with the Sanction order.

20. The Petition is accordingly dismissed, along with pending

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application(s), if any.

OCTOBER 13, 2026
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