



2026:DHC:8355



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

% ***Date of Decision: September 25th, 2026***

CNR No. DLHC010419802026

+ **W.P.(C) 12942/2026 & CM APPL. 60205/2026**

ANKIT MER

.....Petitioner

Through: Ms. Vrinda Bhandari &
Ms. Nitya Jain, Advs. (through
VC)

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Kumudavalli Seetharaman
Ms. Geetika Vyas and Ms.
Ananya Milak, Advs. for R2
(through VC)
Mr. Premtosh K. Mishra,
CGSC & Mr. Amit Rana, GP
with Mr. Krish Bhatia & Mr.
Vasu Agarwal, Advs. for R1
with Mr. Joginder Singh (Under
Secretary)

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CNR No. DLHC010420822026

+ **W.P.(C) 12989/2026 & CM APPL. 60338/2026**

NITESH SINGH

.....Petitioner

Through: Ms. Vrinda Bhandari &
Ms. Nitya Jain, Advs. (through
VC)

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Kumudavalli Seetharaman
Ms. Geetika Vyas and Ms.
Ananya Milak, Advs. for R2



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(through VC)

Mr. Premtosh K. Mishra,
CGSC & Mr. Amit Rana, GP
with Mr. Krish Bhatia & Mr.
Vasu Agarwal, Advs. for R1
with Mr. Joginder Singh (Under
Secretary)

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. (Oral)

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

- a) *Directions to Respondent No.1 to forthwith grant / release financial assistance and all consequential administrative approval / support to Petitioners for participation in the Asian Games, 2026 in the sport of Taekwondo;*
- b) *Directions to the Respondents to treat the Petitioners as eligible athlete under the Government criteria for granting approval for sending the petitioners as Indian Contingent as well as financial assistance, them being within the top six/eight Asian athletes / qualifying rank-based criteria applicable to the said event;*
- c) *Declaring that the impugned action of denying the approval and financial assistance to the Petitioners, while granting the same to other similarly situated selected athletes, is arbitrary, discriminatory and violative of Articles 14 and 21 of the Constitution of India;*
- d) *Pass an interim order during the pendency of the present writ petition directing the Respondents to provisionally permit and financially support the Petitioners' participation in the Asian Games, 2026, subject to final outcome of the writ petition;*
- e) *Direct the Respondents to forthwith accord to the Petitioners approval and the same financial assistance.*



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2. It has been urged by the Petitioners that the selection for the Asian Games is done as per the following structure: (i) the National Sports Association, i.e., Respondent No. 4 (*India Taekwondo*), in this case, is responsible for holding tryouts and short listing the athletes for selection; (ii) Respondent No. 4 forwards the relevant list to Respondent No. 2 (*Indian Olympic Association/ IOA*) for consideration; (iii) the IOA forwards its considered list to Respondent No. 3 (*Sports Authority of India/ SAI*) for its examination; and (iv) as per the final recommendation of SAI, Respondent No. 1 (*the Ministry/ Government*) makes its final decision and issues the sanction order, i.e., the Impugned Order herein.

3. It has been submitted that the India Taekwondo had conducted final Open Selection Trials for the Asian Games and had forwarded names of 8 taekwondo athletes in all, comprising 5 male and 3 female athletes to Indian Olympic Association/IOA for sending the entry of the Petitioners for participation in the Asian Games. However, the limited grievance of the Petitioners – Mr. Ankit Mer (*weight category -54 KG subsumed under -58 KG*) and Mr. Nitesh Singh (*weight category -63 KG subsumed under -68 KG*), is that, though their names were forwarded, which appear at Serial Nos. 3 and 5 in List forwarded *vide* Email/Communication dated 16.06.2026, approval for their participation was not granted by the Ministry of Youth Affairs and Sports, Government of India. Consequently, they were excluded from the Asian Games, 2026.

4. It has been urged that once the petitioners' names had been recommended by India Taekwondo and forwarded to the IOA, they



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ought to have been approved for participation in the Asian Games, 2026.

5. The learned Counsel for the Respondent No. 1 has explained in its Affidavit 23.09.20206, that the names of the Petitioners were not included in the final list sent by Indian Olympic Association/IOA to the Ministry of Youth Affairs & Sports, for administrative clearance.

6. It has been further pointed out that upon conducting due diligence, comments/inputs were sought by the Respondent No.1 from the Respondent No.3/Sports Authority of India, and it was informed that for Asian Games, 2026 *-54 kg and -58 kg have been combined into a single Asian Games category, i.e., -58 kg*. According to Asian Taekwondo Union, athletes from both categories can participate in the competition. However, under the Technical Handbook (Asian Games 2026), *only one athlete per country is permitted to take part for each weight category*. Thus, for -58 kg weight category, only one athlete (be it of -54 kg or -58 kg) from a country can take part in Asian Games 2026. Additionally, the Petitioners were not eligible for being sent to the Asian Games, 2026. Petitioner – Mr. Ankit Mer did not participate in the Asian Championship 2026 and thus, did not meet the eligibility criteria.

7. It has been further submitted that there is no recognized National Sports Federation for Taekwondo and in any case, the final call lies with the Ministry to approve the names of athletes, which also considers whether there is a real chance of winning a medal in a particular sport or not. Even otherwise, the Asian Games 2026 have already started; players have been sent and no relief can be granted at



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this stage.

8. This Court finds merit in the explanation furnished by the Respondent No. 1. The names of the Petitioners were never received by the Respondent No. 1 and after conducting due diligence it has also been found that they failed to meet the requisite eligibility criteria.

9. Even otherwise, the sanctioned contingent has already been finalised and acted upon. Further the Asian Games, 2026 have already commenced on 19.09.2026. The process relating to participation in the Asian Games has already culminated. Though it is stated that the event/sport – Taekwondo commences on 1st October, 2026, and the Petitioners can still be sent, however, in the opinion of this Court, no order can be passed at this stage, given that this exercise would undisputedly require multiple administrative clearances.

10. 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 by the authority is found to be arbitrary and without due application of mind. 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.

11. Consequently, no effective relief or direction can be granted to secure the petitioners' participation, as the matter has now become a *fait accompli*.

12. In view of the above, no ground to exercise jurisdiction under



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Article 226 of the Constitution of India is made out to interfere with the sanction order issued by Respondent No. 1.

13. The present petitions are, accordingly, dismissed.

14. A copy of the order be placed in both matters.

AMIT MAHAJAN, J

SEPTEMBER 25, 2026

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