



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

% *Judgment Reserved on: 03.07.2026*  
*Judgment Delivered on: 06.07.2026*

+ **LPA 458/2026 & CM Nos.39837/2026 & 39839/2026**

**ANUSH AGARWALLA** .....Appellant

versus

**AD-HOC COMMITTEE FOR GOVERNANCE OF  
EQUESTRIAN FEDERATION OF INDIA  
AND ORS** .....Respondents

+ **LPA 459/2026, CM Nos.39840/2026 & 39842/2026**

**SUDIPTI HAJELA** .....Appellant

versus

**EQUESTRIAN FEDERATION OF INDIA  
& ORS.** .....Respondents

**Advocates who appeared in these cases**

For the Appellants : Mr. Rahul Mehra, Senior Advocate with Ms. Astha Sharma, Ms. Anju Thomas, Ms. Mantika Haryani, Ms. Pratibha Yadav, Mr. Bhanu Mishra, Ms. Jyotika, Mr. Chaitanya Gosain and Mr. H. Chimthanawala, Advocates in LPA 458/2026.  
Mr. Kirtiman Singh, Senior Advocate with Ms. Kritika Gupta, Mr. Mohit Kumar Sharma, Mr. Ritwik Saha, Mr. M. Khurana, Advocates along with Appellant in person through VC in LPA 459/2026.



For the Respondents : Mr. Tanmay Mehta with Mr. Kapil Modi, Ms. Niyati Kohli, Mr. Rishabh Parikh, Advs for R-1.  
Col. Sandeep Dewan (Veteran) for R-2 in LPA 458/2026.  
Mr. Chetan Sharma, ASG with Mr. Udit Dedhiya, SPC, Mr. Amit Gupta, Mr. R.V. Prabhat, Mr. Shubham Sharma, Mr. Yash Wardhan Sharma, Ms. Apurva Sachdev, Mr. Priyansh Gupta, Advocates for UOI.  
Ms. Kumudavalli Seetharaman, Ms. Geetika Vyas, Advocates with Mr. George Mathew, Director IOA for IOA.  
Mr. Shiv Verma, Advocate for R-5 to R-7.  
Mr. Kirat Singh Nagra, Mr. Kartik Yadav, Ms. Sumedha Chadha, Advocates for Mr. Hriday Chheda.

**CORAM:**  
**HON'BLE THE CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE TEJAS KARIA**

### **JUDGMENT**

#### **TEJAS KARIA, J**

1. The present Appeals arise out of the common judgment dated 29.06.2026 (“**Impugned Judgment**”) passed in W.P.(C) No. 8329/2026 and W.P.(C) No. 8290/2026 (“**Writ Petitions**”).
2. The Writ Petitions were instituted assailing the Selection Process adopted by the Ad-Hoc Committee of the Equestrian Federation of India (“**EFI**”) in issuing the selection list dated 16.06.2026 (“**Selection List**”) for participation in the Equestrian discipline of Dressage at the 20<sup>th</sup> Asian Games,



scheduled to be held in Japan from 19.09.2026 to 04.10.2026 (“**Asian Games**”).

**FACTUAL BACKGROUND:**

3. EFI is the National Sports Federation (“**NSF**”) for Equestrian Sports in India and is recognised by the Ministry of Youth Affairs and Sports, Government of India (“**Ministry**”), the Indian Olympic Association (“**IOA**”) and the Federation Equestre Internationale (“**FEI**”).

4. In 2025, the Ministry issued a notification formulating the Selection Criteria for the Asian Games, Para-Asian Games 2026 and other multi-sport events.

5. On 12.02.2026, EFI issued Selection Criteria Version 4.0 (“**Selection Criteria**”) for selection of the Indian Equestrian Team for the Asian Games, prescribing the qualifying period, Minimum Eligibility Requirements (“**MER**”) and the method for evaluation of riders on the basis of comparative merit by the Selection Committee to be appointed by EFI (“**Selection Committee**”).

6. Under the Selection Criteria for qualification for the Asian Games, all riders were required to participate in the Selection Process across three (3) disciplines, namely Dressage, Show Jumping and Eventing.

7. For the purposes of the present Appeals, the relevant criteria pertain only to the Dressage Event of the Asian Games, which comprise of both Team and Individual competitions conducted in a mixed format. The first day would comprise of the Team Competition and the First Individual Qualifier Competition, followed by the Second Individual Qualifier Competition on the second day and the Individual Final Competition on the third day. For



qualification in the Dressage Event, riders are permitted to compete in up to three (3) nominated qualifying competitions during the MER window and, for determination of the order of merit, the best two (2) results in which MERs had been achieved within the prescribed limits are to be considered. The Selection Procedure further provides that up to six (6) riders, described as Probables, would be shortlisted based on the competitive merit of each horse-rider combination. For inclusion in the list of Probables, each horse-rider combination was required to achieve at least one (1) valid MER within the prescribed limits, and participation in at least one (1) out of the three (3) competitions was mandatory. In respect of the Dressage Event, the highest cumulative score was to be taken into consideration for determining merit. The six (6) Probables shortlisted based on MERs/Results in the Selection Trials, and the three (3) or four (4) riders securing the highest scores, were to be selected as the final Team nominees on merit to represent India.

8. In terms of Clause 5(c)(i) of the Selection Criteria, riders based abroad who intend to participate in the Selection Trials are required to intimate EFI, by SMS, e-mail or WhatsApp, at least seven (7) days prior to the date of the first horse inspection for each trial.

9. Clause 8(d) of the Selection Criteria prescribes that, for qualification in the Dressage Event, participation in, and attainment of the prescribed qualification scores across, all three (3) tests, namely Prix St. Georges (“PSG”), Intermediate-I and Intermediate-I Freestyle, was mandatory. For selection to the Team, the MER required a minimum score of 66% in PSG and participation in Intermediate-I and Intermediate-I Freestyle. In the event that a Team cannot be constituted, individual nominations are to be made in



respect of two (2) individual combinations, which had achieved the MER, requiring participation in PSG and a minimum score of 69% each in Intermediate-I and Intermediate-I Freestyle. Clause 8(f) of the Selection Criteria further provides that, while considering the composition of the Team, all combinations which had attained MERs in the Individual category would be placed higher in merit than those which had attained MERs only in the Team category. The said clause also required EFI to publish a Provisional Merit List of six (6) Probables, from which the final Team and/or individual nominations were to be confirmed.

10. Clause 13(d) of the Selection Criteria provides that, for determining the order of merit amongst Probables having the same number of MERs, their relative merit would be decided based on the aggregate scores, and the rider with the higher cumulative score would be placed above the others. Clause 13(g) of the Selection Criteria further provides that, while determining the order of merit for Dressage, the best two (2) valid results from MER-level competitions would be taken into consideration, and riders would be ranked based on the highest cumulative percentage scores across those two (2) results. The comparison is to be made first amongst combinations, which had achieved two (2) MERs and, thereafter, amongst those which had achieved only one (1) MER each.

11. Clause 13(i) of the Selection Criteria further stipulates that based on the order of merit, a team of six (6) riders, including reserves, would be selected for further training under the aegis of EFI. Such riders were to be trained either in India or abroad, subject to availability of budget and such other conditions as may be determined by EFI.



12. Clause 15 of the Selection Criteria sets out the procedure for selection of the final Teams for the Asian Games. Clause 15(a) provides that all selected combinations would be treated as Probables until EFI, in consultation with the Selection Committee and coaches, undertakes a further review of the entire Selection Process prior to submission of the final entries for the Asian Games. It further provides that the fitness of riders and horses, the suitability of the horse-rider combination, performance during coaching camps and merit ascertained from competitive exposure would be of paramount importance and be taken into consideration for final selection of the Team and/or Individual Entries, with a view to ensuring that the best combinations are selected to secure medals for the country.

13. Clause 15(b) of the Selection Criteria provides that horse-rider combinations selected as Probables would be required to participate in competitions at venues to be decided and facilitated by EFI, for the purposes of providing necessary competitive exposure, ensuring maintenance of fitness and form, and enabling the Selection Committee to take a final call on the final order of merit, on the basis of which the Team would be finalised. Clause 15(f) of the Selection Criteria further reserves to EFI the right to amend the Selection Criteria, if such amendment became necessary under compelling circumstances.

14. On 27.03.2026, the IOA constituted an Ad-Hoc Committee for governance of the affairs of EFI, in consonance with the directions issued by this Court in W.P.(C) No. 10342/2019 *vide* order dated 16.02.2026.

15. On 17.04.2026, EFI issued Amendment No. 1 to the Selection Criteria (“**Amendment**”). The stated purpose of the Amendment was to align the



Selection Criteria with the actual competitive requirements of the Asian Games and to ensure validation of recent performance by requiring at least one (1) MER during the Peak-window between 17.04.2026 and 15.06.2026. The Amendment further provided that to afford the Probable athletes a wider opportunity to qualify, the number of permissible qualifying competitions was increased from three (3) to four (4), while retaining the requirement that the best two (2) valid results would be considered for determining comparative merit.

16. The Amendment also substituted Clause 8(d)(i) of the Selection Criteria, whereby participation in, and achievement of the prescribed qualifying scores across, all three (3) tests was made mandatory. The said requirement was introduced having regard to the Asian Games competition format, which mandated performance across all three (3) tests, to ensure that only those horse-rider combinations demonstrating complete competitive preparedness at the international level were considered for selection.

17. On 16.06.2026, the Ad-Hoc Committee of EFI, in consultation with its Selection Committee, issued the Selection List, whereby six (6) sportspersons were identified for participation in the Asian Games in the discipline of Dressage. Of the six (6) sportspersons included in the Selection List, four (4) were selected to participate in the Asian Games, whereas Mr. Anush Agarwalla, Appellant in LPA 458/2026, and Ms. Sudipti Hajela, Appellant in LPA 459/2026, were placed in the Reserve List. As per the Selection List, Mr. Anush Agarwalla was placed as Reserve No. 1 and Ms. Sudipti Hajela as Reserve No. 2.



18. Aggrieved by their inclusion in the Reserve List, the Appellants instituted the Writ Petitions seeking quashing of the Selection List and consequential inclusion in the final list for the Asian Games. By the Impugned Judgment, the learned Single Judge dismissed the Writ Petitions and declined to interfere with the Selection List. Hence, the present Appeals have been preferred assailing the Impugned Judgment.

### **SUBMISSIONS ON BEHALF OF MR. ANUSH AGARWALLA**

19. Mr. Rahul Mehra, learned Senior Counsel for Mr. Anush Agarwalla, made the following submissions:

- 19.1. Mr. Anush Agarwalla is an internationally competing Dressage rider who participated in the Selection Process conducted by EFI in accordance with the Selection Criteria. The Selection Criteria further provided that it was to be read in conjunction with the Sport Technical Handbook issued for the Asian Games (“**Sport Technical Handbook**”) and the applicable FEI Regulations. The Sport Technical Handbook similarly prescribed the MER and technical standards for participation in Dressage events and contemplated selection based on objective competitive performances achieved during the qualifying period.
- 19.2. Pursuant to the Selection Criteria, Dressage riders were required to achieve the prescribed MER through participation in recognised FEI competitions. The Selection Criteria specifically provided that horse-rider combinations would be evaluated based on their best two (2) valid MER results and that riders would be ranked on the basis of the highest cumulative percentage scores achieved across



such results. Clause 15 of the Selection Criteria stipulated that EFI would publish a provisional merit list of six (6) Probables, from which the final team would be selected based on trials.

- 19.3. The comparative merit was not merely one among several considerations but constituted the foundation of the selection framework. For Small Tour Team selection, the Selection Criteria prescribed a minimum score of 66% only for the PSG test, whereas Intermediate-I and Intermediate-I Freestyle merely required participation. Thus, PSG constituted the sole merit-bearing Team MER test. The Selection Criteria did not prescribe any formula for combining Intermediate-I and Intermediate-I Freestyle scores with PSG scores for preparation of the Selection List.
- 19.4. The Ad-Hoc Committee was expected to function collectively and to oversee the governance of EFI as well as the Selection Process. The Amendment specifically recorded that the objective of the Ad-Hoc Committee was to ensure that the Selection Process remained transparent, objective and in consonance with the applicable governmental and international requirements.
- 19.5. On 14.06.2026, immediately prior to the cut-off date, Mr. Anush Agarwalla submitted a qualification summary to EFI containing his qualifying scores and the comparative merit calculation contemplated under the Selection Criteria. He requested the Ad-Hoc Committee of EFI to disclose the basis for his non-inclusion in the final team and sought an explanation as to how riders possessing lower comparative merit had been selected over him.



He further requested disclosure of the evaluation process and the criteria actually applied while arriving at the final selection. However, no explanation was furnished with respect to the selection decision.

- 19.6. Despite specific requests, the Ad-Hoc Committee of EFI failed to disclose the objective criteria, calculations, scoring methodology or basis adopted for preparing the final Order of Merit. Mr. Anush Agarwalla repeatedly sought transparency in the Selection Process and pointed out that, despite representations and a personal hearing, no reasons or material had been furnished to justify his exclusion from the Asian Games Dressage Team.
- 19.7. During the Selection Process, Mr. Anush Agarwalla was informed that a Selection Committee comprising Mr. Kapil Modi, Col. Sandeep Dewan and Mr. Jai Rathore was being constituted to evaluate and recommend riders. He immediately informed the Chairperson of the Ad-hoc Committee of EFI that adversarial legal proceedings were pending between him and Mr. Kapil Modi and, therefore, Mr. Modi had a clear conflict of interest in relation to his candidature.
- 19.8. Although the Ad-Hoc Committee was apprised of the alleged conflict, Mr. Anush Agarwalla was assured that the issue would be examined, whereafter he continued to participate in the Selection Process. No express communication regarding Mr. Kapil Modi's recusal was issued to him, and the minutes annexed



with the Counter Affidavit filed on 23.06.2026 constituted the first intimation of such recusal.

- 19.9. No Provisional Merit List was published as required under Clause 8(f) of the Selection Criteria, which mandated publication of a list of six (6) Probables from which final Team and/or Individual nominations were to be confirmed. Instead, Rank Nos. 1 to 4 were uploaded as Definitive Entries on the FEI website on 19.06.2026 at 9:27 AM and, thereafter, communicated to the IOA at 4:37 PM.
- 19.10. EFI failed to facilitate competitions during the Training Period as contemplated under Clause 15 of the Selection Criteria. Clauses 15(a) and 15(b) of the Selection Criteria required initial selections to remain Probables, subject to final review and participation in competitions at venues decided by EFI before finalisation of the Team.
- 19.11. EFI bypassed this mandatory process by submitting the Selection List as Definitive Entries on 19.06.2026 without any amendment to the Selection Criteria. Clause 15(b) of the Selection Criteria was mandatory to minimise subjectivity by requiring all Probables to compete at the same venue, before the same judges and under comparable conditions.
- 19.12. The Definitive Entries were prematurely submitted on 19.06.2026, although the timeline for such submission was 01.07.2026 and the Nominated Entry Period had been extended to 15.07.2026, thereby seeking to render the Writ Petitions infructuous despite a caveat having been filed on 16.06.2026.



19.13. Lastly, the Impugned Judgment failed to appreciate that, having framed and published the Selection Criteria, EFI was bound to apply the same uniformly and without deviation. EFI could neither introduce additional criteria nor adopt an alternative methodology after conclusion of the qualifying competitions, as a public authority performing public functions must adhere to its self-imposed rules.

**SUBMISSIONS ON BEHALF OF MS. SUDIPTI HAJELA**

20. Mr. Kirtiman Singh, learned Senior Counsel for Ms. Sudipti Hajela, made the following submissions:

- 20.1. Ms. Sudipti Hajela is an international Dressage rider and a Gold Medallist in the Team Dressage event at the 19<sup>th</sup> Asian Games. She planned her qualifying competitions, selection strategy and participation on the basis of the Selection Criteria. It was submitted that, after completion of the qualifying trials, EFI could not introduce a new methodology for preparing the comparative merit list, as such action would defeat the very object of publishing transparent Selection Criteria and would strike at the fairness of the Selection Process.
- 20.2. Ms. Sudipti Hajela fulfilled all prescribed eligibility conditions, secured the requisite FEI Certificate of Capability and achieved two (2) valid Team MERs within the prescribed qualifying period. It was further submitted that the aggregate of her two (2) best Team MER scores was the second highest amongst the six (6) sportspersons in question.



- 20.3. While Ms. Sudipti Hajela was awaiting publication of the team merit list, a caveat dated 16.06.2026 was served upon her by the Ad-Hoc Committee of EFI at 6:46 PM “*in relation to the selection, non-selection, order of merit, ranking, nomination, participation or composition of the Indian Dressage Team for the Asian Games 2026*”, even before she was informed of the selected team. On 17.06.2026, the Ad-Hoc Committee of EFI published the Selection List, placing Ms. Sudipti Hajela as Second Reserve. The undated and unsigned comparative Selection List was published on the website of EFI without disclosure of the methodology adopted for determination of comparative merit and without publication of the mandatory Provisional Merit List contemplated under the Selection Criteria.
- 20.4. Neither the constitution of the Selection Committee nor the minutes of the Selection Committee, nor any score sheet, was published by the Ad-Hoc Committee of EFI. Within hours of being informed of the merit list by the Ad-Hoc Committee of EFI, Ms. Sudipti Hajela raised grievances regarding the departure from Clause 8(f) of the Selection Criteria and sought a copy of the marking sheet, which was never provided.
- 20.5. The Impugned Judgment proceeds in disregard of the admitted and undisputed fact that the Selection Process was conducted by the Ad-Hoc Committee of EFI in an opaque and non-transparent manner. Until filing of its affidavit dated 23.06.2026 in the Writ Petitions, the Ad-Hoc Committee of EFI had not disclosed or



published the constitution of the Selection Committee entrusted with evaluating the athletes; had not published the minutes or deliberations of either the Selection Committee or the Ad-Hoc Committee recording the basis of selection; had not published the score sheets, calculations or comparative assessment forming the basis of the Selection List; had not published the mandatory Provisional Merit List of six (6) Probables contemplated under Clause 8(f) of the Selection Criteria; and had not passed or communicated any reasoned or speaking decision dealing with the specific objections and grievances raised by Ms. Sudipti Hajela immediately upon publication of the Selection List.

- 20.6. The methodology ultimately relied upon by the Ad-Hoc Committee of EFI to justify the Selection List was disclosed for the first time only through its Counter Affidavit filed in the Writ Petitions.
- 20.7. The learned Single Judge erred in law by treating the controversy as one involving interpretation of sporting performance and comparative assessment by an expert Selection Committee. Ms. Sudipti Hajela did not seek re-evaluation of sporting performance, nor did she invite the Court to substitute its opinion for that of the Selection Committee. The challenge was confined to the legality of the decision-making process adopted by the Ad-Hoc Committee of EFI and its failure to adhere to the Selection Criteria read with Amendment. Consequently, the learned Single Judge applied an erroneous standard of judicial review by examining the



reasonableness of the methodology, rather than examining whether such methodology was authorised by the published Selection Criteria.

- 20.8. The learned Single Judge committed a manifest error of law by reading into Clause 8(f) of the Selection Criteria words and concepts which do not exist. Clause 8(f) merely provides that comparative merit shall be determined on the basis of the best two (2) valid MER results and the cumulative percentage scores across those two (2) results. It does not provide that an MER result shall be treated as the aggregate of the scores obtained in PSG, Intermediate-I and Intermediate-I Freestyle tests. The interpretation adopted in the Impugned Judgment, therefore, amounts to supplementing and rewriting the Selection Criteria under the guise of interpretation.
- 20.9. As per Clause 8(f) of the Selection Criteria, athlete-horse combinations which do not have any valid Individual MER are to be placed lower in merit than those which have valid Individual MERs. Since the Selection Criteria categorically provide that only MER scores are to be considered, non-MER scores, whether Team or Individual, could not have been taken into account. It was submitted that, among the three (3) sportspersons who did not have valid Individual MERs under the Selection Criteria, the order of merit could only have been determined by comparing cumulative valid Team MERs. On this basis, Ms. Sudipti Hajela, having the



second highest cumulative Team MER score, ought to have been placed at Rank No. 4.

- 20.10. The Impugned Judgment ignores the undisputed fact that, upon comparison of the cumulative scores of the two (2) highest Team MER, Ms. Sudipti Hajela's cumulative score was the second highest amongst the six (6) sportspersons. The Impugned Judgment, according to the Appellant, erroneously approves the mechanism adopted by EFI for determining the *inter se* Selection List amongst the three (3) sportspersons who did not have any valid Individual MER.
- 20.11. There is no contemporaneous record demonstrating that the Selection Committee itself adopted the methodology subsequently disclosed before the Court in the Writ Petitions. The Impugned Judgment is internally inconsistent. While Paragraph Nos. 9, 22 and 23 proceed on the basis that non-preparation of the list of Probables and direct notification of the final team were within the powers of EFI, Paragraph No. 32 relies upon Clause 13(d) of the Selection Criteria. According to the Appellant, this reliance is manifestly erroneous, as Clause 13 deals with preparation of the list of Probables. Admittedly, no such list was prepared, and the comparative merit in question related to the members of the final team itself. Therefore, Clause 13(d) of the Selection Criteria would have no application.
- 20.12. It was further contended that the interpretation of the Selection Criteria accepted in the Impugned Judgment would mean that,



irrespective of whether a rider-horse combination has achieved a valid Team or Individual MER as per international standards, the “*aggregate scores*” of PSG, Intermediate-I and Intermediate-I Freestyle would determine the order of merit amongst sportspersons. On this interpretation, the benchmarks of 66% for PSG and 69% for Intermediate-I and Intermediate-I Freestyle separately would become immaterial. It was submitted that, even on EFI’s own understanding, such methodology for determining the order of merit was applied only to three (3) sportspersons and not uniformly to all six (6) sportspersons.

20.13. EFI partially relied upon Clauses 13(d) and 13(g) of the Selection Criteria, though the said clauses had no applicability in the present case, since a list of Probables was neither drawn up nor published by EFI before publication of the Selection List.

20.14. Hence, the Impugned Judgement and the Selection List are liable to be set aside.

### **SUBMISSIONS ON BEHALF OF EFI**

21. Mr. Tanmay Mehta, learned Counsel for EFI made the following submissions:

21.1. An Individual MER is regarded as superior to a Team MER. While a Team MER requires only participation in Intermediate-I and Intermediate-I Freestyle, an Individual MER requires the horse-rider combination to obtain at least 69% in Intermediate-I and Intermediate-I Freestyle. The Amendment merely increased the number of qualifying competitions from three (3) to four (4) and



did not alter the distinction between Individual MERs and Team MERs.

21.2. A perusal of the table of selected candidates as reproduced below shows that combinations having Individual MERs have been placed above those having only Team MERs:

“Rank	Rider	Horse	MER Status	Scores Considered
1	<i>Shruti Vora</i>	<i>Magnanimous</i>	2 Individual MER	<i>Asian Ch: 70.882/70.147/73.800;</i> <i>Hickstead: 69.853/70.931/74.400</i>
2	<i>Gaurav Pundir</i>	<i>Milli</i>	1 Individual + 1 Team MER	<i>Perila-1: 68.186/68.627/69.717;</i> <i>Perila-2: 67.451/69.118/70.892</i>
3	<i>Jai Sud</i>	<i>Goofy La Perla</i>	1 Individual + 1 Team MER	<i>Vejer: 68.177/67.618/70.840;</i> <i>Mariakalnok:67.549/69.069/69.750</i>
4	<i>Hriday Chheda</i>	<i>Dono Di Maggio</i>	2 Team MERs	<i>Gosciszow: 66.814/68.971/71.617;</i> <i>Verolanouva:68.333/66.912/72.892</i>
5	<i>Anush Agarwalla</i>	<i>Straight Horse Floriana</i>	2 Team MERs	<i>Tolbert: 68.725/65.735/69.600;</i> <i>Lier: 67.294/68.824/69.580</i>
6	<i>Sudipti Hajela</i>	<i>Biden</i>	2 Team MERs	<i>Gosciszow:68.971/62.745/64.442;</i> <i>Verolanouva:67.108/64.020/68.433</i>

21.3. Clause 13(d) of the Selection Criteria applies only where riders have attained the same category and number of MERs. While considering the composition of the team, combinations having Individual MERs are placed higher in merit than those having only Team MERs. Thereafter, amongst riders in the same category of MERs, their relative merits are determined on the basis of the aggregate of scores. Since Mr. Hriday Chheda and the Appellants had attained the same category of MERs, Mr. Hriday Chheda was placed higher on account of his higher aggregate score. Amongst riders having the same category of MERs, Clause 13(d) of the Selection Criteria requires their relative merits to be determined on the basis of the aggregate of scores. Since Mr. Hriday Chheda



and the Appellants had attained Team MERs, Mr. Hriday Chheda was placed higher on account of his higher aggregate score.

- 21.4. Every trial constitutes an independent competition and has to be considered as a whole. A rider cannot rely upon the PSG score from one trial, the Intermediate-I score from another trial and the Intermediate-I Freestyle score from a third trial to constitute a valid MER.
- 21.5. The Selection Criteria requires a rider to intimate EFI at least seven (7) days in advance of the international competition in which qualification is sought and specify the category in which the rider would participate. Mr. Anush Agarwalla had not declared participation in PSG and had declared only Intermediate-I participation for CDI Hagen Trial. Having done so, Mr. Anush Agarwalla cannot subsequently seek consideration of his PSG score from CDI Hegan Trial. A valid MER can be achieved only upon participation in all three (3) prescribed tests, and a rider cannot seek consideration of the score in one test after abandoning the remaining two.
- 21.6. At CDI Hegan Trial, Mr. Anush Agarwalla declared only Intermediate-I participation. However, against the Intermediate-I test, the remark is “*Withdrawn*”. Once a rider withdraws and does not participate in the entire competition, the rider is not entitled to have that competition considered as one of the trial results. A valid MER can be achieved only upon participation in all three (3) prescribed tests.



21.7. Mr. Anush Agarwalla seeks to rely upon his PSG score of 70.941% from CDI Hagen Trial even though the said score was never declared within the prescribed 7-day period with the Intermediate-I and Intermediate-I Freestyle scores from Lier Trial. It is not the Appellant's case that CDI Hagen Trial did not have all three (3) tests. Therefore, Mr. Anush Agarwalla cannot selectively rely upon the PSG score from CDI Hegan Trial. The learned Single Judge has rightly observed that the only exception to mandatory participation in all three (3) tests is contained in Clause 8(e) of the Selection criteria, which states that:

*“For riders based abroad, in case the competitions do not have any of these three tests, they may participate in these tests in other competitions on subsequent days to acquire MERs for Team or Individual Category, with mandatory prior intimation to EFI. For an Individual / Team selection, a horse-rider combination shall attempt in three trials for each Test in Small or Big tour to be conducted under the aegis of the EFI in India and in FEI CDIs and CDIOs competitions to be held abroad.”*

21.8. Thus, where a competition itself has PSG, Intermediate-I and Intermediate-I Freestyle tests, participation in all three (3) tests is mandatory. Clause 8(e) of the Selection Criteria applies only where the qualifying competition itself does not contain all three (3) prescribed tests. CDI Hagen Trial had all three (3) tests. Mr. Anush Agarwalla voluntarily did not participate in Intermediate-I and Intermediate-I Freestyle and, therefore, cannot rely upon the exception under Clause 8(e) of the Selection Criteria. Mr. Anush Agarwalla's explanation that the horse had suffered a cut in its



mouth is also untenable as the FEI Rules provide that “*Fresh blood anywhere on the horse, or in its mouth or spur area, during or after the test, results in elimination.*”

- 21.9. The requirement that at least one (1) MER be achieved during the period from 17.04.2026 to 15.06.2026 was introduced to ensure that only those horse-rider combinations demonstrating current form, fitness and competitive readiness were considered for final selection. Having regard to the timelines prescribed for the Asian Games, the Ad-Hoc Committee of EFI and the Selection Committee ensured compliance with the said requirement by insisting upon one (1) MER during the aforesaid period.
- 21.10. The Amendment was issued after due consideration of representations received from riders across different disciplines. The Preamble to the Amendment itself records that the same was issued keeping in view the competitive demands of the Asian Games.
- 21.11. All six (6) selected horse-rider combinations were to remain Probables until submission of the final entries. The designation enabled the Selection Committee to assess fitness and address contingencies, including replacement, before conclusion of the Selection Process. The Selection Criteria did not require EFI to conduct trials in India; the qualifying competitions themselves constituted the relevant trials, and the scores obtained therein formed the basis for determining merit. The requirement that one



of the two MERs fall between 17.04.2026 and 15.06.2026 was intended to assess current form.

- 21.12. Clause 15(b) of the Selection Criteria was an enabling provision intended to provide competitive exposure, maintain fitness and form, and permit a final review of the Probables. It did not contemplate a fresh Selection Process or fresh marking, but only a review of the current fitness, form and competitive readiness of the already selected Probables before finalisation of the Team.
- 21.13. Clause 15(b) of the Selection Criteria, being in the nature of a training and review mechanism, must be read harmoniously with Clause 5 of the Selection Criteria. Its object is to ensure that the selected Probables remain fit and competitive before submission of final entries. In the present case, the competitions held abroad fulfilled that purpose.
- 21.14. The Selection Committee, being mindful that final entries were due by 01.07.2026 and that the qualification period ended on 15.06.2026, concluded that no useful purpose would be served by conducting any further trial.
- 21.15. Clause 5(a) of the Selection Criteria provided that comparative merit shall be determined based on the best two (2) results in which MERs were achieved within the prescribed limits. The Selection Committee identified and reviewed the Probables in accordance with the Selection Criteria and, thereafter, finalised the Team. It was, therefore, submitted that EFI had complied with the Selection



Criteria in letter and spirit, and that the Appeals were devoid of merit.

**SUBMISSIONS ON BEHALF OF SELECTION COMMITTEE**

22. Col. Sandeep Dewan, in his capacity as the Chairperson of the Selection Committee, appeared in person and made the following submissions:

- 22.1. The members of the Selection Committee have represented India at international competitions and were themselves sportspersons of standing. Since Mr. Anush Agarwalla had expressed concern regarding the presence of Mr. Kapil Modi on the Selection Committee, Col. Sandeep Dewan was requested to speak with Mr. Anush Agarwalla and ascertain the precise nature of such concern.
- 22.2. Pursuant thereto, Col. Sandeep Dewan spoke with Mr. Anush Agarwalla and clarified that Mr. Kapil Modi would not participate in any decision-making process in which a conflict of interest concerning Mr. Anush Agarwalla could arise. Mr. Anush Agarwalla had subsequently placed selective extracts of private WhatsApp communications on record in a manner suited to his case. According to the Selection Committee, every action undertaken by it was in conformity with both the letter and spirit of the Selection Criteria, while keeping in mind the interests of the riders as well as the horses.
- 22.3. EFI was facing financial constraints and was in the process of revival after a difficult period. There were no financial resources available to conduct further selection events, and no substantive



purpose would have been served by subjecting the riders to another trial.

- 22.4. All riders had already participated in the competitions available to them up to 15.06.2026, and some were required to return to India for visa formalities. The horses had also entered their recovery and preparation cycles. After an intensive competition schedule, the trainers had advised that the horses should be rested and, thereafter, gradually brought back through a structured build-up programme leading to the Asian Games. The insertion of an additional competition at that stage would have disrupted the entire preparation cycle.
- 22.5. The deadline for submission of nominative entries was around 22.06.2026, by which date all six (6) probable combinations were required to be entered. Consequently, the requisite formalities were completed immediately after the meeting of the Selection Committee. It was further submitted that the Sports Authority of India (“SAI”) was approached for financial support with the intention that, after finalisation of the Team, a training programme in Europe would be organised for the selected riders including Appellants sometime around mid-July. However, SAI informed that no request for financial assistance could be processed unless the definitive entries were first uploaded.
- 22.6. Accordingly, the entries were submitted to ensure that there is no last-minute glitch. In any event, the Selection Committee has



strictly followed the Selection Criteria and there is no scope for interference by this Court.

**SUBMISSIONS ON BEHALF OF MINISTRY:**

23. Mr. Udit Dedhiya, learned Counsel appearing on behalf of the Ministry, submitted that, subject to any directions issued by this Court, the Ministry would be willing to render assistance in relation to the technical assessment of the proper implementation of the Selection Criteria by facilitating an examination through an independent expert body constituted by the Ministry, so as to ascertain whether the merit list has been prepared in accordance with the Selection Criteria.

24. The Ministry possesses neither the authority nor the technical expertise to determine whether a particular Selection Criterion is appropriate or whether an alternative criterion would have been preferable. The role of the Ministry is confined to ensuring that EFI functions in accordance with law.

**SUBMISSIONS ON BEHALF OF IOA:**

25. Ms. Geetika Vyas, learned Counsel for IOA submitted that IOA has no authority or expertise to conduct the selection being the apex Olympic body and it is left to the NSF to select the athletes in accordance with the Selection Criteria.

**SUBMISSIONS ON BEHALF OF SELECTED RIDERS:**

26. Mr. Kirat Singh Nagra and Mr. Shiv Verma, learned Counsel for the selected riders made the following submissions:

26.1. The Preamble to the Amendment to Section Criteria records that it was issued in exercise of the powers reserved under Clauses 15(f) and 19(b) of the Selection Criteria, which permit EFI to



amend the Selection Criteria in compelling circumstances. The Amendment was intended to supplement, clarify and amend the Selection Criteria, and to align the process with the competitive requirements of the Asian Games. It also sought to validate recent performance by requiring at least one MER during the Peak-window, remove ambiguity, preserve a strict merit-based Selection Process and provide athletes with a wider opportunity to qualify within the available timeframe.

- 26.2. The amendment to Clause 5 of the Selection Criteria permitted each horse-rider combination to compete in up to four (4) nominated qualifying competitions during the MER window. For determining comparative merit, only the best two (2) results in which MERs were achieved within the prescribed limits were to be considered, provided that at least one (1) such MER was achieved between 17.04.2026 and 15.06.2026. This mandatory requirement was intended to ensure that only combinations demonstrating current form, fitness and competitive readiness were considered for final selection.
- 26.3. The Amendment also substituted Clause 8(d) of the Selection Criteria, making participation in, and achievement of the prescribed qualification scores across, all three tests, namely PSG, Intermediate-I and Intermediate-I Freestyle, mandatory. Accordingly, a valid MER could not be constituted by selectively relying upon scores obtained in different competitions, unless expressly permitted under the Selection Criteria.



- 26.4. The Writ Petitions themselves reveal inconsistent interpretations of the Selection Criteria. While one Appellant seeks to combine scores from different competitions, the other contends that only the PSG score should determine comparative merit. According to the selected candidates, such disputed and divergent interpretations are not amenable to adjudication in writ jurisdiction as it involves disputed questions of fact.
- 26.5. The qualifying window, originally fixed from 15.11.2025 to 14.06.2026, was extended by the Amendment till 15.06.2026. Within this period, riders were required to attain the prescribed MERs, after which the order of merit was to be prepared under Clause 13, followed by the process contemplated under Clause 15 of the Selection Criteria.
- 26.6. Clause 15(b) of the Selection Criteria and the concept of “*Probables*” must be understood in the context of competitive sport. Selected riders are ordinarily designated as Probables until final entries are submitted, so that unforeseen contingencies, including injury to a horse or rider, may be addressed.
- 26.7. The designation does not confer any vested right or require repeated trials after merit has already been determined under Clause 13 of the Selection Criteria. Once the qualification window closes and the merit list is prepared under the Selection Criteria, the relative order of merit cannot be reopened, as doing so would undermine the purpose of the Selection Criteria and disrupt preparation for the Games.



**REJOINDER SUBMISSIONS ON BEHALF OF MR. ANUSH AGARWALLA**

27. Mr. Rahul Mehra, learned Senior Counsel for Mr. Anush Agarwalla, made the following rejoinder submissions:

- 27.1. Clauses 13(a) to 13(g) of the Selection Criteria deal with the order of merit. Clause 13(i) provides that six (6) riders, including the reserves, are to be selected to undergo training under the aegis of EFI. These riders are then prepared for the Games, subject always to the availability and fitness of their horses. Clause 15(b) of the Selection Criteria refers to riders selected as ‘Probables’ and further provides that “...to participate in competitions at venues to be decided and facilitated by the EFI...”
- 27.2. At the time of the 2023 Asian Games, when the qualifying window was also approximately six months, EFI had organised common competitions for all Probables before finalisation of the Team. Those competitions were intended to ensure that all Probables competed together under similar conditions and not to prepare a fresh merit list.
- 27.3. As regards splitting competitions, the records themselves demonstrate the position wherein on 26.05.2026, Mr. Anush Agarwalla wrote that his horse had performed at CDI Hagen Trial, secured the requisite score about 70% for the Team MER in the PSG and further informed EFI that he would thereafter participate in the remaining two (2) tests Intermediate I and Intermediate I Freestyle at the next competition. The reply received from EFI was



that “*Ok so you will do the other 2 tests required to complete this MER in another venue*” There was no insistence whatsoever that those two (2) remaining tests had to be completed at the same venue. However, the contention raised on behalf of the Respondents that one cannot take the PSG score from CDI Hagen Trial and the Intermediate I and Intermediate Freestyle scores from Lier Trial is directly contrary to what EFI itself had communicated at the relevant time.

- 27.4. The Amendment was issued after Mr. Anush Agarwalla had already planned his competition calendar based on the earlier Selection Criteria. On the very same day, he informed EFI that, because of the Amendment, compliance with the 7-day declaration requirement had become impossible before the next competition. Therefore, the difficulty arose solely on account of the timing of the Amendment.
- 27.5. Mr. Anush Agarwalla informed EFI that he intended to rely upon PSG from CDI Hagen Trial together with the Intermediate I and Intermediate I Freestyle scores from Lier Trial. Thereafter, a member of the Selection Committee informed Mr. Anush Agarwalla that he could proceed in that manner. However, in the final results those scores were not considered.
- 27.6. The 7-day Rule was relaxed in the cases of Shruti Vora and Jai Sud because it did not affect them in the same manner. One of them competed almost a month later in May. The other competed



in June, almost two months later. Therefore, the 7-day requirement posed no difficulty for them.

**REJIONDER SUBMISSIONS ON BEHALF OF MS. SUDIPTI HAJELA**

28. Mr. Kirtiman Singh, learned Senior Counsel for Ms. Sudipti Hajela submitted that:

28.1. As per the message from the Chairperson of the Selection Committee addressed to Ms. Sudipti Hajela's father clearly stated that "*Everything depends completely on her two best MER from 4 MER opportunities...*". EFI told every rider that this would be the basis on which the Indian team would be selected. However, the Selection Committee did not follow the process that was explained by the Chairperson of the Selection Committee.

28.2. EFI specifically stated how the Team MER would be calculated, namely by obtaining 66% together with participation in the remaining tests. EFI first represented that the team would be selected based on the Team MER, and after every rider acted upon that representation, EFI now seeks to adopt a completely different interpretation.

**ANALYSIS AND FINDINGS**

29. We have heard learned Senior Counsel appearing for the Appellants and learned Counsel appearing for the Respondents and have perused the material placed on record.

30. At the outset, we are not dealing with the allegations of bias and conflict of interest against Mr. Kapil Modi and certain members of the Ad-Hoc



Committee as well as the Selection Committee as we do not consider it necessary to examine those allegations, especially when the persons against whom such bias and / or conflict of interest has been alleged have not been joined as Respondents in their individual capacity.

31. The controversy in the present Appeals is confined to the issue as to whether the Selection List was prepared in conformity with the Selection Criteria. The principal question, therefore, which arises for consideration is whether EFI adhered to the Selection Criteria while preparing the Selection List.

32. It is well settled that Courts do not sit in appeal over the decisions of selection committees, nor do they reassess the relative merits of candidates. The determination as to who should represent the country in an international sporting event is ordinarily best left to experts in the field. In matters concerning selection for international competitive events, the Court would not ordinarily interfere with the selection criteria framed by the concerned expert body, or with the manner in which relative merit is evaluated, unless the decision is shown to be arbitrary, irrational, perverse or contrary to law.

33. The Appellants contend that the Selection List has not been prepared in accordance with the Selection Criteria. According to the Appellants, the Selection Criteria contemplated a two-stage process: first, preparation of the order of merit based on valid MERs and, thereafter, finalisation of the Team from amongst the list of Probables. It was submitted on behalf of the Appellants that EFI failed to comply with Clause 15(b) of the Selection Criteria, which required selected Probables to participate in competitions at venues to be decided and facilitated by EFI, for providing competitive



exposure, maintaining fitness and form, and enabling the Selection Committee to take a final call on the final order of merit on the basis of which the Team would be finalised.

34. It was, therefore, urged on behalf of the Appellants that in the absence of compliance with Clause 15(b) of the Selection Criteria, the Selection List was contrary to the Selection Criteria and liable to be set aside.

35. The Appellants further submitted that no competition was held during the Training Period contemplated under Clause 15(b) of the Selection Criteria, although such competitions were intended to enable the Selection Committee to determine the final order of merit before finalising the Team. It was contended on behalf of the Appellants that EFI submitted the final entries without undertaking the process contemplated under Clause 15(b) of the Selection Criteria, thereby acting in derogation of the Selection Criteria, and that the learned Single Judge erred in upholding the Selection List.

36. *Per contra*, it was submitted on behalf of EFI that Clause 15(b) of the Selection Criteria operates only after six (6) Probables have been selected on the basis of the order of merit prepared under Clause 13 of the Selection Criteria. The competitions contemplated during the Training Period were not mandatory and were intended only to maintain the current form, fitness and competitive readiness of the selected Probables. Clause 15(b) of Selection Criteria did not contemplate a fresh Selection Process or fresh marking after the Probables have been selected in terms of Clause 13 of the Selection Criteria.

37. To consider the rival submissions, it is apposite to reproduce Clause 15 (a) and 15 (b) of the Selection Criteria as under:



**“15. Selection of Final Teams for 20th Asian Games 2026**

*(a) Selection is Provisional. All selected combinations in all the disciplines will be considered as ‘Probables’ till the EFI, in consultation with Selection Committee and coaches for each discipline, again reviews the entire selection process before submission of final entry for Asian Games. Fitness of riders and horses, suitability of horse-rider combinations, performance during coaching camps and merit ascertained from competitive exposures will be of paramount importance and will be taken into consideration for final selection of teams / individuals in order to ensure that the best are selected to win medals for the country.*

*(b) Competitions during Training Period. Horse-rider combinations selected as ‘Probables’ will be required to participate in competitions at venues to be decided and facilitated by the EFI to provide necessary competitive exposure, ensure maintenance of fitness, form and to enable the Selection Committee to take a call on the final order of merit, based on which, the teams for the three disciplines will be finalized.”*

38. The aforesaid provisions of the Selection Criteria make it evident that, upon preparation of the order of merit of the Probables, the subsequent stage is the selection of the Final Team in the manner contemplated under Clause 15(b) thereof. In the present case, it is apparent that the Selection Committee did not undertake the process prescribed for selection of the Final Team in terms of the provision contained in Clause 15(b).

39. Further, EFI did not comply with the requirement under Clause 8(f) of the Selection Criteria, inasmuch as no Provisional Merit List of six (6) Probables was published, from which the final Team and / or Individual nominations were to be confirmed.

40. It is also material to note that EFI appears to have proceeded with considerable haste by uploading the Definitive Entries on the FEI website on



19.06.2026 at 9:27 AM and, thereafter, communicating the same to the IOA at 4:37 PM, despite the fact that the time for submission was available until 01.07.2026.

41. Under this circumstance, EFI appears to have acted with undue haste without complying with the procedure required to be followed for preparation of the Selection List. The reasons advanced by EFI for non-compliance with the mandatory requirements of the Selection Criteria are, *firstly*, paucity of time, having regard to the limited window available for participation in qualifying events and selection of the Probables, and *secondly*, the futility of conducting an *inter se* competition amongst the six (6) Probables, since the Amendment to the Selection Criteria had introduced validation of recent performance by requiring at least one (1) MER during the Peak-window between 17.04.2026 and 15.06.2026 thereby objective of assessing the current fitness and form of the Probables stood substantially achieved.

42. The aforesaid reasons do not inspire confidence as when the Amendment was introduced, EFI was fully aware of the existing requirements under Clauses 15(a) and 15(b) of the Selection Criteria; nevertheless, those provisions were not modified. Further, when the list of Probables was prepared on 16.06.2026, the Ad-Hoc Committee was also aware of Clause 15(f), which empowered EFI to amend the Selection Criteria in compelling circumstances. However, the said power was not invoked. In any event, Clause 15(f) merely confers a power to amend the Selection Criteria and does not empower EFI to dispense with compliance therewith.

43. Therefore, the reliance on Clause 15(f) of the Selection Criteria empowering EFI to amend the Selection Criteria in compelling circumstances



seems to be misplaced especially when there is no record to indicate that Clause 15(f) of the Selection Criteria was invoked by EFI for dispensing with competitions during the Training Period or for treating the order of merit of the Probables as the final Team list.

44. Though, the non-compliance with Clauses 15(a) and 15(b) of the Selection Criteria has not been satisfactorily justified by EFI, the question is whether, in the absence of competitions during the Training Period, the final order of merit submitted by EFI, whereby the Appellants were placed in the Reserve List, is liable to be set aside at this advanced stage.

45. Ideally, the list of Probables ought to have been prepared sufficiently in advance to enable competitions to be conducted during the Training Period and to permit the Selection Committee to take a final call on the Team in terms of Clauses 15(a) and 15(b) of the Selection Criteria. However, since EFI has finalised the list of Probables only on 16.06.2026, after the window for participating in eligible competitions had closed on 15.06.2026, there is insufficient time available now to conduct any further competition as contemplated under Clause 15(b) of the Selection Criteria.

46. As the Appellants have challenged neither the Selection Criteria nor the Amendment thereto and, if fact, have taken benefit of the Amendment, the timing of preparation of the list of Probables on 16.06.2026 is not open to challenge at this stage. Further, list of merit of Probables was prepared based on valid MERs achieved by the horse-rider combinations, including at least one competition undertaken during the Peak-window between 17.04.2026 and 15.06.2026 which is as per Clause 13 of the Selection Criteria.



47. It is also undisputed that the selected candidates placed at Rank Nos. 1, 2 and 3 had attained Individual MERs. Clause 13(g) of the Selection Criteria expressly provides that while considering the composition of the Team, all combinations which have attained MERs in the Individual category shall be placed higher in merit than those which have attained MERs only in the Team category.

48. The contention of the Appellants that Mr. Hriday Chheda could not have been ranked above Mr. Anush Agarwalla, both having attained two (2) valid Team MER, also does not appeal to us. Mr. Hriday Chheda secured Team MER at Goscieszow with scores of 66.814%, 68.971% and 71.617%, and at Verolanova with scores of 68.333%, 66.912% and 72.892%. Mr. Anush Agarwalla secured Team MERs at Tolbert with scores of 68.725%, 65.735% and 69.600%, and at Lier with scores of 67.294%, 68.824% and 69.580%. Clauses 8(f) and 13(g) of the Selection Criteria provide that, while deciding the order of merit for Dressage, the best two (2) valid results from MER-level competitions shall be taken into account, riders shall be ranked on the basis of the highest cumulative percentage scores across these two (2) results, and comparison shall first be made between combinations which have achieved two (2) MERs.

49. Since the Appellants and Mr. Hriday Chheda had achieved two (2) valid Team MERs, as per Clauses 8(f) and 13(d) of the Selection Criteria, their relative merit shall be decided on the basis of aggregate scores of the Team MERs. Mr. Hriday Chheda has, therefore, rightly been placed above Mr. Anush Agarwalla in the order of merit. The challenge to Mr. Hriday Chheda's placement is, accordingly, without merit.



50. Further, the submission of Mr. Anush Agarwalla that only PSG score was relevant as per the Selection Criteria for the selection in the Team as minimum 66% score was required to be achieved for the PSG test and participation in Intermediate-I and Intermediate-I Freestyle, is not in consonance with the Selection Criteria, which provided that all three (3) tests have to be taken into consideration for determining the MER. Therefore, consideration of only the PSG score for the Team selection cannot be accepted.

51. It was further submitted on behalf of Mr. Anush Agarwalla that if the best two (2) PSG scores of all the riders are taken into consideration, Mr. Anush Agarwalla would be either at Rank 2 or Rank 3 depending on consideration of CDI Hagen Trial, which was not considered by the Selection Committee by citing non-compliance with the 7-day Rule for intimating EFI by Mr. Anush Agarwalla. It is the case of Mr. Anush Agarwalla that the 7-day Rule could not have been followed on account of the Amendment introduced to the Selection Criteria on 17.04.2026 and, therefore, there was no sufficient time left to inform about the participation in CDI Hagen Trial, which was conducted from 22.04.2026 to 26.04.2026. Mr. Anush Agarwalla cannot gain any benefit of this argument as he did not participate in all the three (3) tests held at CDI Hagen Trial due to admitted injury near his horse's mouth. Accordingly, CDI Hagen Trial was rightly not considered by the Selection Committee.

52. We also find merit in the submission of EFI that the rider cannot pick and choose the scores from different events, and a valid MER can be considered only if the rider has participated in all the three (3) tests in a single



event unless that event did not have any of the tests contemplated fulfillment of MER. As CDI Hagen Trial had all three (3) tests available and it is only because Mr. Anush Agarwalla could not participate due to cut near the mouth of his horse, the same cannot be considered for determining valid MER.

53. The reliance placed by Mr. Anush Agarwalla on the messages exchanged between him and the Chairperson of the Selection Committee cannot be relied upon as the assurance given by any member of the Selection Committee cannot change the Selection Criteria. Therefore, the Selection List can only be prepared based on the Selection Criteria, which was done in the present case.

54. The submission on behalf of Ms. Sudipti Hajela that only MER scores can be considered to determine the order of merit between the players who do not have individual MER and as Ms. Sudipti Hajela has second highest cumulative Team MER score, she ought to have been placed at Rank 4 above Mr. Hriday Chheda also cannot be accepted as the relative merit of the riders under the same category of MER has to be determined on the basis of aggregate of the scores for all the three (3) tests of their respective valid MERs. Since Mr. Hriday Chheda and Ms. Sudipti Hajela had attained the same category of MER, Mr. Hriday Chheda was placed higher on account of his higher aggregate score of all three (3) tests as per Clause 13(d) of the Selection Criteria, which provided that, for determining the order of merit amongst Probables having the same number of MERs, their relative merit would be decided based on the aggregate scores, and the rider with the higher cumulative score would be placed above the others.



55. Accordingly, while we do not find any infirmity in the preparation of the list of Probables in terms of Clause 13 of the Selection Criteria, we are of the view that the requirements prescribed under Clauses 15(a) and 15(b) of the Selection Criteria were not duly complied with.

56. Having regard to the deadline of 15.07.2026, it is logistically impracticable to conduct a further competition within the time available, particularly since the riders and horses are located at different places across the globe and transporting horses from different locations to a common venue for conducting a competition amongst all six (6) Probables would not be possible in such a short span of time.

57. Having regard to the peculiar facts and circumstances of the present case and considering the limited time available before the deadline of 15.07.2026, we are constrained to refrain from interfering with the Impugned Judgment. Such restraint is warranted in the larger interest of the sport and to avoid any adverse impact on the prospects of the Indian Team participating in the Dressage Event at the Asian Games.

58. In view of the aforesaid discussion, the present Appeals are disposed of without interference with the Impugned Judgment, with direction to EFI to strictly comply with the Selection Criteria henceforth.

59. Accordingly, the present Appeals along with pending applications, if any, stand disposed of.

**TEJAS KARIA, J**

**DEVENDRA KUMAR UPADHYAYA, CJ**

**JULY 06, 2026/ AK/HK/sms**