



2025:DHC:10431



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

% **Judgment Reserved on: 20<sup>th</sup> November, 2025**  
**Judgment pronounced on: 26<sup>th</sup> November, 2025**

+ **CS(OS) 804/2025 & I.A. 28038/2025**

RAVINDER PAL SINGH CHAUHAN .....Plaintiff

Through: Mr. Sanjay Jain, Senior Advocate  
with Mr. Mridul Bakshi, MS. Latika  
Malhotra, Mr. Amrender Chauhan,  
Mr. Vidur Mohan, Mr. Nishant  
Tripathi, Mr. Anant Gautam, Mr.  
Priya, Ms. Prachi Batra, Mr. Akaash  
Chatterjee, Advocates.

versus

DELHI RACE CLUB (1940) LTD AND ORS .....Defendants

Through: Mr. Suhail Dutt, Senior Advocate  
with Mr. Sankalp Goswami, Mr.  
Azhar Alam & Mr. Milan Popli,  
Advocates for D-1.  
Ms. Pallavi Pratap, Mr. Sameer Tapia,  
Ms. Siddhi Doshi & Mr. Rohan  
Marathe, Advocates for D-3.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT BANSAL**

**JUDGMENT**

**AMIT BANSAL, J.**

**I.A. 28038/2025 (Under Order XXXIX Rule 1 & 2 of CPC)**

1. The present application has been filed seeking the following reliefs:

“a) Grant an Ex Parte order temporarily injuncting the Defendant No.1  
from enforcing the concept of 'family unit' qua number of horses that can  
be owned by the Plaintiff/ registered owner;



*b) Grant an Ex Parte order temporarily injunctioning the Defendant No. 1 from enforcing the undated notice and applying the concept of 'family unit' to the number of horses that can participate in a race /meeting;*

*c) Grant an Ex Parte Stay on the operation, implementation, and enforcement of General Condition No. 12 of the Delhi Meeting 2025-2026 Prospectus and the undated circular issued by Defendant No. 2, during the pendency of the accompanying suit”*

### **CASE OF THE PLAINTIFF**

2. In brief, the case set up by the plaintiff is that the plaintiff along with his family members are in the occupation of breeding horses, who are trained as race horses and take part in professional races all over the country.

3. The defendant no.3 is the principal governing and regulatory body for horse racing in Western and Northern India. The defendant no.3 has formulated the Rules of Racing of Royal Western India Turf Club, Ltd. (hereinafter 'Rules'), which govern all aspects of horse racing in North India.

4. The defendant no.1 is affiliated race club of the defendant no.3, which conducts horse races in Delhi, in accordance with the Rules of defendant no.3. The defendant no.1 publishes a Prospectus every year, which contains the race days and the conditions that govern the races for that year.

5. The defendant no.2 is the office bearer of defendant no.1.

6. On 1<sup>st</sup> August, 2025, the defendant no.3 published its Racing Calendar for the year 2025, which contained general conditions of the racing season 2025, commencing from August 2025.

7. In the said Calendar, the defendant no.3 capped the maximum number of stables, which the owner could avail, at 80, as the total number of stables



available for allocation was limited to 1300. The defendant no.3 also introduced the concept of 'family unit', which recognized all owners who are spouse/ son/ daughter as a single unit, with the intent that such unit would be entitled up to a maximum of 80 stables.

8. The plaintiff, along with his wife and daughter, collectively own about 70 horses and at present, 45 of their horses are stationed at the stables of the defendant no.1.

9. In September 2025, the defendant no.1 published its Prospectus for the Delhi Meeting 2025-2026 (hereinafter 'Prospectus'), setting out the general conditions applicable to the current horse racing season, beginning from 16<sup>th</sup> September 2025 to 30<sup>th</sup> December 2025.

10. The defendant no.1 introduced General Condition no.12 in the said Prospectus, limiting the maximum number of horses to 40 that can be kept by a 'family unit'. General Condition no.12 also put a three-horse participation cap in a race applicable to a 'family unit'.

11. Subsequently, an undated circular signed by the defendant no.2 was issued which provided that horses in excess of three (3) of a 'family unit', would be balloted out by draw of lots.

12. On 14<sup>th</sup> October, 2025, when the plaintiff tried to enter three (3) of his horses along with one horse of his wife in a scheduled race, the defendant no.1 balloted out one of the horses of the plaintiff, which caused immense monetary loss as well as loss to the reputation of the plaintiff.

13. The plaintiff sent an email dated 12<sup>th</sup> October, 2025, protesting against the aforesaid refusal by the defendant no.1, which was followed by a legal notice dated 13<sup>th</sup> October, 2025. However, no response was received



by the plaintiff.

14. Subsequently, three (3) of the plaintiff's horses were balloted out from the race scheduled on 5<sup>th</sup> November, 2025, in terms of the aforesaid General Condition no.12 of the Prospectus.

15. Aggrieved by the same, the plaintiff has filed the present suit along with the present application seeking interim stay.

16. Mr. Sanjay Jain, senior counsel appearing on behalf of the plaintiff, submits that the 'family unit' classification, as envisaged under General Condition no.12 of the Prospectus is arbitrary, irrational and discriminatory. The clubbing of family members as a single unit violates the principles of equality.

17. He further submits that the amendment carried out in the Prospectus is in violation of Rules 7 and 11 of the Rules of the defendant no.3.

### **CASE OF THE DEFENDANTS**

18. In the reply filed on behalf of the defendant no.1, it is stated that the cap of three (3) horses per 'family unit' was introduced in the general conditions in the Prospectus to prevent monopolisation and potential rigging of horse races. It is stated that there is a huge amount of betting from all over India, on each horse race and therefore, the monopoly of any race by any owner/ 'family unit' would have the potential mischief of rigging of horse races. Therefore, it cannot be said that the condition is arbitrary.

19. It is stated that the Condition no.1(j) has been there in the Prospectus for last several years which enables the Stewards of the Meeting to refuse or cancel any entry, without giving any reason. This has not been challenged



by the plaintiff in the present suit.

20. The reply of defendant no.1 states that the Prospectus for the year 2025-26, which contained General Condition no.12 was sent to the defendant no.3 on 16<sup>th</sup> September, 2025 and published on 19<sup>th</sup> September, 2025. Since the defendant no.3 has not objected to the Prospectus in any manner and seven Race Meetings have already been conducted under the said Prospectus, it would mean there is a deemed approval by the defendant no.3.

21. The plaintiff has participated in the aforesaid races and has also won a substantial prize money and therefore, he cannot now seek to challenge one of the conditions.

22. The plaintiff has a right of appeal under Rule 36(b) read with Rule 41(h) of the Rules of the defendant no.3. Since the present suit is entirely based on the Rules of the defendant no.3, the grievance of the plaintiff, if any, has to be addressed by the remedy provided under the Rules. Therefore, the present suit is not maintainable. In this regard, reliance is placed on the judgment of the Division Bench of this Court in **Barfo Devi v. DDA**<sup>1</sup> and the order passed by the Division Bench of the Bombay High Court in **Pesi Shroff v. State of Maharashtra**<sup>2</sup>.

23. A written note of submissions has been placed on behalf of the defendant no.3, wherein it is stated that the grievance of the plaintiff raised in the present suit can be adjudicated as per the appellate mechanism provided under the Rules.

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<sup>1</sup> 2009 SCC OnLine Del 2235

<sup>2</sup> Writ Petition No.1825 of 1992, Order dated 14<sup>th</sup> August 1992



24. It is stated that the plaintiff did not send any communication to the defendant no.3, raising his grievance and has straightaway filed the present suit.

25. It is further stated that in the event the plaintiff were to file an appeal before the defendant no.3, the defendant no.3 is willing to look into the issues raised by the plaintiff.

### **REJOINDER BY THE PLAINTIFF**

26. In rejoinder, it is submitted on behalf of the plaintiff that since the plaintiff has challenged the validity of General Condition no.12 as also the jurisdiction of the defendant no.1 in issuing the said Prospectus, the alternate remedy of appeal under Rule 41(h) would not be available.

27. As regards the apprehension of betting and rigging, the defendant no.1 has not cited a single allegation of rigging, which would justify the promulgation of General Condition no.12.

### **ANALYSIS AND FINDINGS**

28. I have heard counsel for the parties and examined the relevant Rules.

29. At the outset, it may be relevant to refer to General Condition no.12 in the Prospectus, which is being impugned in the present suit. For the sake of convenience, the same is set out below:

***“12. An Owner (family unit/group) is allowed to keep a maximum of 40 horses only including 2 year old. An owner is permitted to run maximum three horses in a race except Classics/ Sweepstakes races. An owner can train his horses with maximum three Trainers. Horses participating in Classics/Sweepstakes races are exempted.”***



30. A reference may be made to the notice/circular issued by the defendant no.1 on 11<sup>th</sup> October, 2025, in furtherance of General Condition no.12. The said notice/circular provides that in the event there are more than three (3) horses, then by draw of lots, the excess number of horses shall be balloted out. For the sake of convenience, the same is set out below:

*“This notice is in pursuance of general conditions laid down in the prospectus (2025-26), wherein the Stewards, at their meeting held on 23<sup>rd</sup> September 2025 decided that following conditions shall adopted for implementation of the general condition (12) of the Prospectus for season 2025-26.*

*1. The term Owner as per RWITC racing calendar notification will include family unit/ group.*

*2. As para 2 of point no. 12 (general condition of prospectus), any entries made by a Trainer/ Owner (family unit/ group) in excess of three horses in a race, the following procedure shall be followed:*

*a) Entries of more than three horses if any, the connections may exercise their discretion of selecting any three horses they wish to accept/ participate in the race.*

*b) If there are entries in excess of three horses of an Owner (family unit/ group) then lots shall be drawn out of all such entries to select only three at the acceptance stage.”*

31. The defendant no.1 has given an explanation for the inclusion of the aforesaid General Condition no.12 to the effect that it is to prevent monopolisation and potential rigging of horse races. It is stated that there is huge amount of betting on each of the horse races and therefore, a monopoly of any race by any owner/ ‘family unit’ would have the potential of rigging of horse races. In this regard, it is submitted that in the races scheduled on 14<sup>th</sup> November, 2025, in one of the races, six (6) out of eight (8) horses that had entered belonged to the plaintiff and his family members.

32. At the stage of interim injunction, when a Court is only required to



take a *prima facie* view, I cannot find any fault with the aforesaid reasoning given on behalf of the defendant no.1. As a regulatory body, it is the responsibility of the defendants to ensure that races are conducted in a free and fair manner. Therefore, on the face of it, there appears to be a rational nexus with the objective sought to be achieved, *i.e.* the elimination of rigging in a horse race.

33. It is an admitted position of the parties that the defendant no.3 is the apex body in charge of the sport of horse racing in Western India and Northern India, and the Rules of the defendant no.3 are applicable to all such races.

34. At this juncture, it may be relevant to refer to the relevant extracts of the Rules of the defendant no.3, providing for an appellate remedy:

***“Rule 36(b): An appeal shall lie to the Stewards of the Club from every decision or order of the Stewards of the Meeting. The Stewards of the Club are entitled to decide appeals from the decision or orders of the Stewards of the Meeting on every matter (other than a decision or order on an Objection taken by a Steward or any Stipendiary Steward or a trainer or a Jockey or an Owner in respect of the placing of horses in a particular race at the conclusion of such race)***

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***Rule 41: The Stewards of the Club have power at their sole discretion:***

*(h) To decide appeals from the decision or order of the Stewards of the Meeting on every matter (other than on an Objection taken by a Steward of the Meeting or any Stipendiary Steward or a trainer or a Jockey or an Owner in respect of the placing of horses in a particular race at the conclusion of such race).*

*(i) To make enquiry into, finally decide and deal with all matters relating to racing (other than on an Objection taken in respect of the placing of horses in any particular race taken by the Stewards of the Meeting/Club, as the case may be, immediately at the conclusion of such race), whether or not referred to them by the Stewards of the Meeting.*





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***Rule 46(a): An Appeal shall lie to the Board of Appeal from any decision or order of the Stewards of the Club not being a decision or an order on an Objection in a particular race taken immediately at the conclusion of such race.***

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***Rule 49 (c): Every Appeal shall as far as possible be heard and finally disposed of within 15 days from the date of filing thereof. Provided however, that if any aggrieved person shall make an Application in any such Appeal to the Board for Stay of any decision or order of the Stewards of the Club pending, the hearing and final disposal of the Appeal, the Board may, after hearing such person, in its discretion, grant a Stay thereof to such person and upon such terms and conditions as it may think fit pending the hearing and final disposal of the Appeal. Such Stay Application for a Stay shall be heard and disposed of by the Board as soon as possible from the date of the filing of such Stay Application.”***

35. The terms ‘Stewards of the Club’ and ‘Stewards of the meeting’ are defined in the Rules in the following manner:

***““Stewards” shall mean the Stewards of the Club for Race Meetings, conducted at Mumbai and Pune race courses and for locally sanctioned Meetings held under the aegis/Rules of R.W.I.T.C. Ltd., the term “Stewards” shall mean the Stewards of the Meeting. The term “Stewards of the Club” shall mean the Stewards of the Club only and the term “Stewards of the Meeting” shall mean the Stewards of the Meeting only...”***

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***“Stewards of the Club” mean the Stewards of the Club duly constituted pursuant to the Rules and/or Articles of Association of the Club.”***

36. A perusal of the above Rules shows that there is an elaborate appellate mechanism provided under the Rules of the defendant no.3. In terms of Rule 36(b), an appeal would lie against every decision or order of the ‘Stewards of the Meeting’ (defendant no.1) to the ‘Stewards of the Club’ (defendant



no.3). In terms of Rule 46, there is a provision for a second appeal also to a Board of Appeal, against a decision of the ‘Stewards of the Club’. Rule 49(c) provides that the appeals are to be disposed of within fifteen (15) days from the date of filing. Further, there is a provision for granting an interim stay.

37. A reading of the plaint demonstrates that the entire plaint is based on the Rules of the defendant no.3. In this regard, reference may be made to paragraphs no.3, 9, 10, 17, 18, 44, 52 and 53 of the plaint. From a reading of the aforesaid paragraphs, the following can be deduced:

- The plaintiff admits that the defendant no.1 conducts horse races in accordance with the Rules enacted by the defendant no.3;
- The defendant no.3 stands out as a central authority and performs functions analogous to that of a national regulator;
- The horses owned by the plaintiff and his family members are registered with the defendant no.3 and hence, the plaintiff and his family members are registered owners;
- The Stewards appointed by the defendant no.1 are responsible for the conduct and supervision of races;
- The Stewards appointed by the defendant no.3 retain ultimate authority over rule-making, approval of programmes, and general conditions;
- By issuing General Condition no.12, the defendant no.1 has acted without authority under the Rules of the defendant no.3 and created an arbitrary and discriminatory restriction inconsistent with the defendant no.3’s recognised framework.



38. From a reading of the above, there is nothing to indicate that the challenge raised by the plaintiff to General Condition no.12 or the Circular dated 11<sup>th</sup> October, 2025, cannot be considered by the Appellate authority under the Rules. In fact, a definitive statement was made on behalf of the defendant no.3, during the course of arguments that the defendant no.3 would be willing to consider all issues raised by the plaintiff in the present suit.

39. It is also to be noted that the appellate remedy provided under the Rules would be a more efficacious remedy, inasmuch as the appeal would be heard by an expert body comprising domain experts who would have knowledge about the intricacies of the sport of horse racing.

40. In this regard, the defendant no.1 has correctly placed reliance on the judgment of **Barfo Devi** (supra). The relevant observations are set out below:

*“11. One more reason we cannot grant injunction to the Appellant is availability of an equally efficacious remedy to her. Section 185 of Delhi Land Reforms Act read with its Schedule, provides an Appeal to the Deputy Commissioner against the ejectment Order passed by the Revenue Assistant under Section 86A of the Act. Section 41(h) of Specific Relief Act provides that an injunction cannot be granted, when equally efficacious relief can certainly be obtained by any other usual mode of proceedings except in case of breach of trust. The availability of an effective remedy, in a different forum, takes away the right of injunction. Admittedly, the Appellant did not file any Appeal against the Order dated 11.4.2007 passed by the Revenue Assistant though she challenged it by filing a Revision Petition before the Financial Commissioner. Since the remedy of the Appeal was still open to the Appellant even after dismissal of the Revision Petition filed by her, she should have availed that remedy instead of rushing to the Civil Court.”*

41. Similarly, in **Pesi Shroff** (supra), the Division Bench of the Bombay



High Court, taking note of provisions of appeal in the Articles of Association of the defendant no.3 herein, declined to entertain a writ petition on the ground of an alternate remedy.

42. In my *prima facie* view, the entire grievance raised by the plaintiff in the present suit can be considered by the Appellate Authority under the Rules.

43. Now, I shall deal with the submission of the plaintiff that the General Condition no.12 has been added to the Prospectus without taking permission of the defendant no.3, which is in violation of Rule 7 and Rule 11 of the Rules.

44. In response, it has been stated on behalf of defendants no.1 and 3 that the standard practice which has been followed over the last 30 years is that the Club (defendant no.1) sends its Prospectus every year before the beginning of the racing season to the defendant no.3 for its approval. No written sanction is granted by the defendant no.3 and the Prospectus is deemed to be approved unless objections are raised by the defendant no.3.

45. It is the case of the defendant no.1 that the Prospectus of 2025-26 containing General Condition no.12 was sent to the 'Stewards of the Club' on 16<sup>th</sup> September, 2025 and published on 19<sup>th</sup> September, 2025. No objections thereto have been received on behalf of the defendant no.3 and races have been conducted from 14<sup>th</sup> October 2025 in accordance with the said Prospectus, in which the plaintiff's horses have also competed.

46. It may be relevant to refer to Rule 7 and Rule 11 of the Rules as set out below:

***“Rule 7: The full programme of every Race Meeting and the conditions of every race shall be approved by the Stewards of the Club before they***



*are published in the Racing Calendar.*

**Rule 11:** *The Stewards of the Club may, at their discretion, refuse to sanction any Race Meeting and may prohibit the advertisement of any race or Race Meeting in the Racing Calendar. They may also call upon the Stewards of the Meeting to alter or modify or rescind any conditions even after the publication of the Racing Calendar. Further, the Stewards of the Club shall also have the power, suo moto, to alter or modify or rescind any conditions even after the publication of the Racing Calendar.”*

47. A perusal of Rule 7 set out above would show that it does not indicate that the approval has to be in writing. A reading of the aforesaid Rule 11 suggests that ‘Steward of the Club’ have the power to require the ‘Steward of the Meeting’ to “modify or rescind any conditions” or “*suo moto* modify or rescind any conditions”. Admittedly, this has not been done in the present case.

48. Accordingly, I am of the *prima facie* view that since no objection has been raised by ‘Stewards of Club’ in respect of the aforesaid Prospectus and races are being conducted in terms thereof, this would amount to a deemed approval. In any event, this contention could also have been raised by the plaintiff in the appellate remedy provided under the Rules.

49. In view of the discussion above, the plaintiff has failed to make a *prima facie* case for granting interim stay from restraining the defendant no.1 from enforcing the concept of ‘family unit’ *qua* number of horses or the implementation of General Condition no.12 of the Prospectus of 2025-26.

50. The plaintiff has failed to show that the balance of convenience is in its favour for grant of stay or that any irreparable harm or injury would be caused to the plaintiff in case stay is not granted.

51. The application is accordingly dismissed.



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52. Needless to state, any observations made hereinabove would have no bearing on the final adjudication of the case or on the outcome of the appeal that may be filed by the plaintiff under the Rules of the defendant no.3.

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53. List before the Joint Registrar for completion of pleadings, on 15<sup>th</sup> January, 2026.

**AMIT BANSAL  
(JUDGE)**

**NOVEMBER 26, 2025**  
*at*