



CNR: KAHC010520222024

NC: 2026:KHC:47899
WP No. 25132 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 25132 OF 2024 (GM-RES)

BETWEEN

SRI G VENKATARAVANAPPA
S/O LATE GOPALAPPA
AGED ABOUT 62 YEARS
NO. 762,
7TH MAIN, 4TH BLOCK
B E L LAYOUT
VIDYARANYAPURA
BENGALURU 560 097

... PETITIONER

(BY SRI. S.J. SRINIVASAN., ADVOCATE)

AND

1. THE SECRETARY (SPORTS)
MINISTRY OF YOUTH AFFAIRS AND
SPORTS
GOVERNMENT OF INDIA
'SHASTRI BHAWAN' ROOM NO. 401
C WING NEW DELHI 110 001
2. PARA OLYMPIC COMMITTEE OF INDIA
(RECOGNISED BY THE GOVT. OF INDIA)
REPRESENTED BY THE SECRETARY
GENERAL
NO.28, SPORTS AUTHORITY OF
KARNATAKA BUILDING,
GATE NO-2, KANTEERAVA STADIUM,
KASTURBA ROAD, BANGALORE-560001

.... RESPONDENTS

(BY SRI. K.S. BHEEMAIHAH., ADVOCATE FOR R1;
SRI. PRAVEEN KUMAR., ADVOCATE FOR R2)





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THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER, SETTING ASIDE THE ORDER BEARING APPLICATION NUMBER ATMP8-0-010323-19728, DATED 05.07.2023 AT ANNEXURE-I, PASSED BY THE RESPONDENT AS ILLEGAL, UNJUSTIFIED AND ETC.

THIS WRIT PETITION COMING ON FOR ORDERS AND HAVING BEEN RESERVED FOR ORDERS ON 17.08.2026, THIS DAY, THE COURT PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CAV ORDER

1. The petitioner is before this Court seeking for the following reliefs:
 - a. *Issue a Writ of Certiorari or any other appropriate writ or order, setting aside the order bearing Application Number ATMP8-0-010323-19728, dt.05-07-2023 at ANNEXURE-L, passed by the respondent as illegal, unjustified.*
 - b. *Issue a Writ of Mandamus or any other appropriate writ or order, directing the first respondent to reconsider the representation dt. 11-03-2024 at ANNEXURE-M and grant him the full pension as per the scheme at annexure A, for Gold medal in FESPIC, which is precursor to Para Asian Games, amounting to Rs.14,000/- per month, from the date of application, along with interest on the said amount calculated till the date of payment.*
 - c. *Direct the contesting respondent to pay the petitioner costs throughout, and*
 - d. *Grant such other relief or reliefs as this Hon'ble Court may be pleased to grant, in the facts and*



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circumstances of the case, to meet the ends of justice.

2. The petitioner is aggrieved by the respondents rejecting the request made by the petitioner for Pension as a sportsman and is before this court seeking the aforesaid reliefs.
3. Sri.A.J.Srinivasan, learned counsel appearing for the petitioner would submit that;
 - 3.1. The petitioner was born in a remote village, Thotliganahalli, Kolar District, with congenital deformity/disability in both legs, beneath the hips and is a person who comes under the Physically Disabled Category. The petitioner has participated in many sporting events conducted for physically challenged persons and has won several medals, including International Medals.
 - 3.2. His submission is that the petitioner is the recipient of the highest award in sports in the country i.e., the "Arjuna Award" from the Hon'ble President of India and the highest award in the State of Karnataka in sports, namely "Ekalavya Award", as also the highest recognition for the State, namely "Rajayotsava



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Award", both from the Hon'ble Chief Minister of Karnataka.

3.3. His submission is that the petitioner being eminently qualified to be a sports person of repute, a Scheme having been formulated by the Government of India to provide security to sports persons post-retirement. On 14.06.2018, the petitioner submitted an application in relation thereto. Along with the application, the petitioner had enclosed various certificates namely;

A) In 1999 FESPIC games held at Bangkok in Thailand the petitioner won a gold medal in Discus Throw, Silver medal in Javelin Throw and Silver in Shot-Put.

B) In 2002 FESPIC games held at Busan, South Korea the petitioner won a Bronze Medal in Javelin Throw.

C) In 2006 FESPIC games held at Kuala Lumpur, Malaysia the petitioner won a bronze medal in the Javelin Throw.

D) In 2009 IWAS World Games held at Bangalore, India the petitioner won Bronze Medal in Javelin Throw and a Bronze Medal in Discus Throw.

3.4. According to the petitioner, he had fulfilled all the requisite conditions, inasmuch as he had attained the age of 30 years as on the date of making the application, had retired from active



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sports, had won medals in the games prescribed, and had submitted his application in the prescribed format and as such the petitioner had a fond hope that the said application would be favorably considered and the pension ordered in favour of the petitioner.

3.5. The petitioner's application was rejected on 05.07.2023 stating that '*tournament is not covered under the scheme*'. In pursuance thereof, the petitioner submitted a representation on 11.03.2024 to reconsider the decision. However, respondents did not take any action thereto and in that pattern did not take any action thereto.

3.6. The aims and objectives are in terms of Clause 5, which is reproduced hereunder for easy reference;

5. Aims and objectives

The Scheme will be applicable to sportspersons, who are Indian citizens and have won Gold, Silver and Bronze medals in Olympic Games, World Cup in Olympics and Asian Games disciplines, Asian Games, Commonwealth Games and Para-Olympic Games.



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3.7. The extent of the application is in terms of Clause 6, which is reproduced hereunder for easy reference;

6. Extent of Application

The Scheme will be applicable to sportspersons, who are Indian citizens and have won Gold, Silver or Bronze medals in Olympic Games, World Cup in Olympics and Asian Games disciplines, Asian Games, Commonwealth Games and Para-Olympic Games.

The rate of monthly pension will be as follows:

<i>S. No.</i>	<i>Category of meritorious sportspersons</i>	<i>Rate of Pension (Rs./per month)</i>
<i>1</i>	<i>Medallists at the Olympic Games / Para Olympic Games</i>	<i>20,000</i>
<i>2</i>	<i>Gold medallists at the World Cup/World Championship in Olympic and Asian Games disciplines</i>	<i>16,000</i>
<i>3</i>	<i>Silver and Bronze medallists at the World Cup in Olympic and Asian Games disciplines</i>	<i>14,000</i>
<i>4</i>	<i>Gold medallists of the Asian/Commonwealth Games/Para Asian Games</i>	<i>14,000</i>
<i>5</i>	<i>Silver and Bronze medallists of the Asian/Commonwealth Games/Para Asian Games</i>	<i>12,000</i>

** World Cup/World Championship held once in four year only shall be considered.*



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Note: I

All payments shall commence from the date the Scheme coming into force and no arrears shall be payable for the period prior to that date.

Note: II

The meritorious sportspersons will be eligible for only one pension under the scheme corresponding to the highest sports achievement and subject to other terms and conditions of the scheme.

Note: III

The pension shall be payable to a sportsperson on his or her attaining the age of 30 years(or date of retirement from active sports whichever is later) and will continue during his/her life time provided that the sportsperson at the time of applying such pension would have retired from an active sports career. An undertaking to this effect will have to be given by the sportsperson in the application form itself. The beneficiaries covered under the scheme will have to furnish their life certificate as and when demanded by the concerned agency/LIC.

3.8. By referring to both Clauses 5 and 6, his submission is that the competitions viz., Olympic Games, Commonwealth Games, Asian Games, World Cups in Olympics and Asian Games Discipline and Paralympic Games are games which are required to be considered for the purpose of determining the eligibility of a candidate. In terms of Clause 6, the rate of



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pension has been prescribed on the basis of the nature of Medal No.1 in those Games.

3.9. He submits that the petitioner has been participating in games for the disabled. Earlier, they were known as "FESPIC", which were held separately for persons with disabilities. Subsequently, those games have merged with the Asian Games and, as such, are considered to be the precursor of the Asian Para Games, and in this regard, he relies upon the recommendation made by the Paralympic Committee of India on 16.02.2023 at Annexure-K, which is reproduced hereunder for easy reference;

Date: 16.02.2023

*To,
The Secretary (Sports)
Ministry of Youth Affairs & Sports
Government of India
New Delhi*

Dear Sir,

Sub: Request to consider the application of Mr. G Venkataravanappa under Sports Fund for Pension to Meritorious Sports person.

Mr. G Venkataravanappa is a Meritorious Sports Person and have won several medals at the major International competitions such as Asian Para Games



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which was earlier known as Pacific Games. Now he has been retired from the Sports carrier and he is eligible for the Sports Fund for Pension to Meritorious Sportsperson.

Hence we hereby recommend Mr. G Venkataravanappa's name to consider for getting the pensions under the Sports Fund for Pension to Meritorious Sportsperson.

Thanking you

Kind Regards

*Sd/-
Gursharan Singh
Secretary General, PCI*

3.10. By relying on Annexure-K, he submits that where it has been categorically stated that the petitioner is a meritorious sportsperson and has won several medals in the major international competitions. Such as the Asian Para Games, which was earlier known as "FESPIC Games".

3.11. In this regard, he also refers to Annexure-N, which is a press release by the Ministry of Youth Affairs and Sports ("**MYAS**") in respect of the fourth Asian Para Games. He refers to the history indicated therein, which is reproduced hereunder for easy reference.



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History

Before the inception of the Asian Para Games, there was the FESPIC Games, which included athletes from the Asia Pacific region. The FESPIC Games debuted in 1975 in Oita, Japan, with Before the inception of the Asian Para Games, there was the FESPIC Games, which included the participation of 18 nations. Over the years, eight more editions of the FESPIC Games were held until 2006.

The Asian Para Games superseded the FESPIC Games, leading to the dissolution of the FESPIC Federation, which governed these games. It merged with the Asian Paralympic Council, which was subsequently renamed the Asian Paralympic Committee. This significant transition occurred following the final edition of the FESPIC Games held in November 2006 in Kuala Lumpur, Malaysia. The inaugural Asian Para Games occurred in 2010 in Guangzhou, China, marking the first multi-sport event for athletes with disabilities in the Asian region.

While there is an aspiration to have the Asian Games and Asian Para Games concurrently in the same host city, the absence of the Asian Para Games in the contract for the Asian Games means that both events are conducted independently. Each event is managed by a distinct Organizing Committee, operating without any direct connection between them.

3.12. By referring to the said press statement, he submits that even according to MYAS, before the inception of the Asian Para Games, there were FESPIC Games, which included athletes



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from the Asia Pacific region. The FESPIC Games debuted in 1975 in Oita, Japan, with the participation of 18 nations, and over the years eight more editions of the FESPIC Games were held until 2006.

3.13. His submission is also that in the press briefing it has been clearly stated that the Asian Para Games superseded the FESPIC Games, leading to the dissolution of the FESPIC Federation and it merged with the Asian Paralympic Council, which was subsequently named the Asian Paralympic Committee. His submission is that the FESPIC Games were games for physically disabled persons, which are similar to Asian Games for physically abled persons and occupy the same stature and status insofar as Physically Disabled Persons are concerned.

3.14. He therefore submits that the petitioner has won a Gold Medal for discus in FESPIC 99, Silver Medal for Javelin in FESPIC 99, Silver Medal for Short Put in FESPIC 99, Bronze for Athletics in FESPIC 2006, Bronze for Javelin in World Games 2009, Bronze for Discus in World Games 2009. The requirement of Clause 6 of



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the Scheme was more than satisfied by the petitioner's request that the application be considered.

3.15. His submission is that the petitioner's application has been rejected without application of mind, merely on the ground that the "tournament is not covered under the scheme". By doing so, the respondents have, it appears, completely disregarded persons with disabilities and have chosen to consider only participants in the regular Asian Games, while ignoring the participation and achievements of physically disabled persons.

3.16. He therefore submits that the actions on the part of the respondents are manifestly arbitrary, violating Article 14 of the Constitution of India, and ignore the legitimate expectation on the part of the petitioner, and the scheme constitutes an estoppel which is required to be acted upon by the respondents.

4. Sri.K.S.Bheemaiah., learned counsel for respondent No.1 would submit that;



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- 4.1. A sports fund has been established for funding of pensions to Meritorious Sports Persons, and it is only those sports persons who are granted pensions; it is not available to everyone. The FESPIC Games were not conducted by the Asian Paralympic Committee and were not part of the Asian Para Games. Those Para Games were not part of Asia in the year 2006. The first Paralympic Games were held only in the year 2010.
- 4.2. His submission is that any medals prior to 2010 cannot be taken into consideration. He submits that FESPIC Games and Asian Games are completely different by their very nomenclature and they cannot be equated to each other.
- 4.3. His submission therefore is that the rejection of the application made by the respondent is proper and correct and cannot be interfered with.
5. Heard Sri.A.J.Srinivasan, learned counsel appearing for the petitioner and Sri.K.S.Bheemaiah, learned counsel appearing for respondent No.1. Perused papers.



6. The short question that arises for consideration in the present writ petition is:

“Whether the rejection of the petitioner’s application for pension by the respondents is proper and justified?”

7. In order to answer the aforesaid question, it is necessary to examine whether the petitioner satisfies the eligibility criteria prescribed under the Pension Scheme, more particularly the requirements contained in Clauses 5 and 6 thereof, extracted hereinabove.
8. It is not in dispute that the petitioner is a recipient of the Arjuna Award, which is one of the highest national honours conferred upon sportspersons for outstanding achievement in sports. It is also not in dispute that the petitioner has been conferred the Ekalavya Award and the Rajyotsava Award, which are prestigious State-level awards recognising outstanding achievement in the field of sports.
9. The Pension Scheme itself makes provision for extending the benefit of pension to sportspersons who have achieved specified levels of excellence in national and international sporting events. The



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Scheme, inter alia, provides for eligibility of medalists at the Olympic Games and Paralympic Games; Gold Medalists at the World Cup and World Championship in Olympic and Asian Games disciplines; Silver and Bronze Medalists at the World Cup in Olympic and Asian Games disciplines; Gold Medalists at the Asian Games, Commonwealth Games and Para-Asian Games; and Silver and Bronze Medalists at the Asian Games, Commonwealth Games and Para-Asian Games.

10. The petitioner has been denied the benefit essentially on the ground that the FESPIC Games cannot be treated as the Asian Para Games and, consequently, the achievement of the petitioner in the FESPIC Games could not be treated as satisfying the eligibility criteria under the Scheme.
11. The aforesaid distinction, in the facts and circumstances of the present case, cannot be sustained. The Ministry of Youth Affairs and Sports (MYAS) has itself, in its press release, categorically stated that the Asian Para Games, also known as Para Asia, is a quadrennial multi-sport event overseen by the Asian Paralympic Committee and that the Asian Para Games superseded the FESPIC



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Games, resulting in the dissolution of the FESPIC Federation. The press release further records the historical background of the FESPIC Games, which commenced in 1975 at Oita, Japan, with participation from countries in the Asia-Pacific region.

12. Once the competent Ministry itself has recognised and declared that the Asian Para Games superseded the FESPIC Games, it would be wholly incongruous for the respondents to disregard the said position and deny the petitioner the benefit of the Pension Scheme solely on the ground that the event in which the petitioner achieved the requisite sporting distinction was described as the FESPIC Games rather than the Asian Para Games.
13. The issue cannot be determined merely by reference to the nomenclature of the sporting event. The substance, status and institutional continuity of the event have to be considered. The categorical position taken by MYAS is that the Asian Para Games succeeded the FESPIC Games. Therefore, an achievement in the FESPIC Games, particularly where it otherwise corresponds to the level of achievement contemplated under the Pension



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Scheme, cannot be excluded merely on the basis of its historical nomenclature.

14. This position is further fortified by the fact that the Para Olympic Association, by its letter dated 16.02.2023 at Annexure-K, had recommended the petitioner for grant of pension. The recommendation made by the body concerned with the sport and the eligibility of the petitioner ought to have received due consideration from the respondents, particularly when there was already a categorical statement of the competent Ministry regarding the relationship between the FESPIC Games and the Asian Para Games.
15. In the considered opinion of this Court, the respondents have therefore adopted an unduly technical interpretation of the Scheme, resulting in the denial of its benefit to a sportsperson who, on the material placed before this Court, has achieved a level of distinction which the Scheme was intended to recognise.
16. What is particularly concerning is that the respondents have relied upon a distinction which is contrary to the position expressly stated by their own Ministry. The authority administering a beneficial



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Scheme cannot, on the one hand, recognise the FESPIC Games as having been superseded by the Asian Para Games and, on the other hand, deny a deserving sportsperson the benefit of the Scheme by treating the two as wholly unrelated events.

17. The purpose underlying the Pension Scheme also assumes significance. Such a Scheme is intended to recognise and provide continuing support to sportspersons who have brought distinction to the Country and the State through their sporting achievements. The Scheme ought therefore to be interpreted in a manner which advances its object and not in a manner which defeats the entitlement by adopting an unduly narrow or hyper-technical construction, particularly when the distinction relied upon by the respondents is not supported by the position taken by the competent Ministry itself.
18. The petitioner has admittedly represented the Country and has earned distinction in the field of sports. The conferment of the Arjuna Award, Ekalavya Award and Rajyotsava Award further demonstrates the level of achievement recognised by the competent authorities. In such circumstances, the approach adopted by the respondents, which has



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resulted in the petitioner being repeatedly required to pursue the authorities for a benefit under a Scheme intended for deserving sportspersons, cannot be countenanced.

19. Sportspersons who have devoted substantial portions of their lives to training, competition and representing the Country are entitled to be treated with the dignity and respect commensurate with their contribution. Where the State has itself formulated a Scheme to recognise and support such sportspersons, the administrative machinery is expected to facilitate access to the benefit of the Scheme to eligible persons rather than defeat such entitlement on untenable or hyper-technical grounds.
20. The present case also demonstrates the need for the authorities concerned to ensure that the implementation of Schemes intended for the benefit of sportspersons is undertaken consistently, transparently and in accordance with the object of the Scheme. An eligible sportsperson ought not to be compelled to approach this Court merely because of an interpretation which is inconsistent with the express position taken by the competent Ministry.



21. In view of the above discussion, this Court is of the considered opinion that the rejection of the petitioner's application for pension on the ground that her achievement in the FESPIC Games could not be treated as an achievement in the Asian Para Games is unsustainable.
22. Accordingly, Respondent No.1 shall process the petitioner's claim for pension treating the achievement in the FESPIC Games in accordance with the categorical position of MYAS that the Asian Para Games superseded the FESPIC Games. The petitioner's is determined in accordance with Clauses 5 and 6 of the Pension Scheme.
23. Respondent No.1 shall also consider issuing appropriate directions to all concerned authorities and Sports Federations to ensure that sportspersons who satisfy the eligibility requirements under welfare and pension Schemes are not denied the intended benefits on account of inconsistent nomenclature, hyper-technical interpretation or avoidable procedural impediments.
24. It is left open to Respondent No.1 to examine, in accordance with law, whether any administrative action is warranted in respect of the manner in which



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the petitioner's legitimate claim has been dealt with and the circumstances which resulted in the petitioner being deprived of the benefit of pension for such a considerable period.

25. In that background, this Court passes the following;

ORDER

- i. A Certiorari is issued, the Order bearing Application No.ATMP8-0-010323-19728, dated 05-07-2023 at ANNEXURE-L passed by respondent No.1 is quashed.
- ii. A mandamus is issued directing Respondent No.1 to reconsider the application of the petitioner and extend the benefit of pension to the petitioner under the applicable Scheme, treating the petitioner as eligible in terms of his entitlement as a Gold Medalist at the Asian Para Games, at the rate of Rs.14,000/- per month.
- iii. The pension shall be payable with effect from the date on which the petitioner submitted his application, together with all consequential arrears, and shall thereafter continue to be paid to the petitioner at the rate prescribed under



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the applicable Scheme, subject to revision in accordance with the Scheme.

- iv. Having regard to the facts and circumstances of the case and particularly the fact that the petitioner is a paraplegic person with physical disability who has been compelled to approach this Court for enforcement of his legitimate entitlement, the respondents shall pay costs of Rs.25,000/- to the petitioner. The aforesaid costs shall be paid to the Petitioner within a period of 30 days from the date of receipt of a copy of this order.
- v. The writ petition is accordingly ***allowed*** in the above terms.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

SR
List No.: 2 Sl No.: 1