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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010273402026

+ **W.P.(C) 8610/2026**

MUSKAN RATHI

.....Petitioner

Through: Mr. Pathak Rakesh Kaushik,
Adv. (through VC)

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Udit Dedhiya, SPC with
Mr. Kartik Sharma, GP & Mr.
Mankan Chawla, Mr. Preyansh
Gupta & Mr. Arihant
Shrivardhan, Advs. for R1
Mr. Ranjeet Pawar, Adv. for R3
(through VC)

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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21.09.2026

CM APPL. 64477/2026 (for exemption) in W.P.(C)8610/2026

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 64476/2026 (for early hearing) in W.P.(C)8610/2026

3. The present application is filed seeking early hearing of the present writ petition.
4. With the consent of the parties, the matter is finally heard today itself.
5. Accordingly, the present application is disposed of.
6. The date already fixed, that is, 01.10.2026, stands cancelled.

W.P.(C) 8610/2026

7. By way of the present writ petition, the petitioner seeks the



following reliefs:

- A. “Issue a writ, order or direction in the nature of Certiorari or any other appropriate writ, order or direction, quashing and setting aside the decision/action of Respondent No.4 (TIKA) whereby selection trials were conducted for the 20th Asian Games, 2026 only in the official women’s –57 kg and –78 kg Kurash weight categories, without conducting selection trials in the official women’s +87 kg category.
- B. Issue a writ, order or direction in the nature of Certiorari or any other appropriate writ, order or direction, quashing and setting aside **Clause 6 of Circular No. 70-9/2025-Governance-I dated 24.09.2025**, issued by Respondent No.1 (DOS), to the extent it prescribes eligibility criteria that are inconsistent with the avowed objective of the Circular under Clause 2 i.e. maximizing India’s medal prospects, being arbitrary, unreasonable, illegal and violative of Article 14 of the Constitution of India.
- C. Issue a writ, order or direction in the nature of Mandamus or any other appropriate writ, order or direction, declaring the action of Respondent No.4 (TIKA) to exclude the official women’s +87 kg Kurash weight category from the selection process for the 20th Asian Games, 2026 as arbitrary, illegal, discriminatory, unreasonable and contrary to the selection policy prescribed by Respondent No.1 (DOS) and violative of Articles 14 of the Constitution of India.
- D. Issue a writ, order or direction in the nature of Mandamus, or any other appropriate writ, order or direction, directing the Respondent Nos. 3 and 4 to forthwith conduct fair, transparent and performance-based selection trials for the official women’s +87 kg Kurash weight category, after granting adequate notice and equal opportunity to all eligible athletes, through a duly constituted Selection Committee in accordance with the applicable rules and selection policy.
- E. Issue a writ, order or direction in the nature of Mandamus, or any other appropriate writ, order or direction, directing Respondent Nos. 3 and 4 to consider the Petitioner and all other eligible athletes for selection in the women’s +87 kg category strictly on the basis of comparative merit, objective performance criteria and medal-winning potential.
- F. Issue a writ, order or direction in the nature of Mandamus, or any other appropriate writ, order or direction, directing Respondent No.4 (TIKA) to publish on its official website all notifications, selection criteria, events or trial schedules, bout sheets, results and other material records relating to the selection process for international competitions, in the interest of transparency and fairness.
- G. Issue a writ, order or direction in the nature of Mandamus, or



any other appropriate writ, order or direction, directing the Respondent Nos. 1 to 4 to formulate and implement a transparent, objective and performance-based selection mechanism for the Sports including Kurash, ensuring equal opportunity to all eligible athletes/sportspersons and strict adherence to the policy of maximizing India's medal prospects.

H. Pass such other or further order (s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

8. Pursuant to the notice being issued, the counter affidavit has been filed by the respondents wherein they stated that India, on earlier occasion, had secured medals in the category of -78 kg and -57 kg whereas no international medal was secured in the +87 kg category in the last two years.

9. After objectively evaluating the comparative medal-winning probability of all categories and the likelihood of winning medals which, as per the affidavit of the respondents, is the object of the Government policy, the decision was taken not to send any athlete in the category of the petitioners.

10. This Court exercising jurisdiction under Article 226 of the Constitution of India cannot issue a writ of mandamus to the authorities to take a different view. The decision to exclude athlete from participation in particular category is objectively taken by the authorities and subject experts which cannot be interfered.

11. The contention of the petitioner thus that the candidates who were selected in the category of -57 kg had not participated and still their names were sent, does not advance the case of the petitioner who seeks inclusion in a different category.

12. Moreover, undisputedly, the Games have already started on 19.09.2026. No relief thus can be granted to the petitioner at this juncture. Thus, no ground to exercise jurisdiction under Article 226 of



the Constitution of India is made out.

13. The present petition is, accordingly, dismissed.

AMIT MAHAJAN, J

SEPTEMBER 21, 2026/ "SS"