



**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 2026/2021

Saahil Nalwaya S/o Vimal Kumar Nalwaya, Aged About 25 Years,  
R/o G-3, Divya Jyoti Complex, New Bhupalpura, Girwa, Udaipur,  
Rajasthan

-----Petitioner

Versus

1. State Of Rajasthan, Through The Chief Secretary,  
Government Of Rajasthan, State Of Rajasthan,  
Government Secretariat, Jaipur-302005.

2. Federation Of Indian Fantasy Sports (Fifs), Through Its  
Secretary, Innova, Regal Building, 69, Connaught Place,  
New Delhi - 110001.

-----Respondents

For Petitioner(s) : Ms. Vijaya T through VC  
Mr. Sanjay Srivastava

For Respondent(s) : Mr. Atul Nanda, Senior Advocate  
through VC  
Mr. Sandeep Pathak &  
Mr. Sandeep Taneja

**HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SATISH KUMAR SHARMA**

**Order**

**22/07/2021**

1. Heard learned counsel for the respective parties.
2. This petition has been filed seeking the following relief(s):-

“(a) To regulate or prohibit the offering and playing in the State of Rajasthan of any online fantasy game and other online games of mere skill by putting money at stake in expectation of winning;

(b) To prohibit offering and playing in the State of Rajasthan of any online gaming not amounting to game of mere skill by putting money at stake in expectation of winning;

(c) Any other or further order as this Hon'ble Court may deem just and expedient may also be passed.”



3. Respondent No.2, Federation of Indian Fantasy Sports (FIFS) have filed reply and relied upon various judgments of various Courts in India and have asserted that it has been consistently held that online fantasy sports are games of skills distinguished from gambling/betting and enjoy protection under Article 19(1)(g) of the Constitution of India. Copies of the Draft Self Regulations Guidelines issued by the Niti Aayog as well as research conducted by the IIM Bangalore have also been relied upon and placed on record in order to establish their assertion that making teams on a fantasy sports platform demonstrates a higher range of skill than what is required by a mutual fund manager to manage the mutual fund portfolio.

4. Having heard learned counsel for the respective parties and their pleadings, it is clear that the petitioners have sought for directions to the State Government to make appropriate Legislation to prohibit all sorts of online gaming activities, notwithstanding whether they are games of mere skill or games of chance with more emphasis on online fantasy sports. All these prayers were considered and decided by this Court in **D.B.Civil Writ Petition No.20779/2019 (Ravindra Singh Chaudhary Vs. Union of India & Ors.)** vide order dated 16.10.2020. In essence, the present writ petition is an attempt of reviewing this judgment referred to hereinabove, which has been passed by this Court by placing reliance on various judgments rendered by the Hon'ble Supreme Court.



5. We are, therefore, of the view that offering of online fantasy sports in accordance with the Charter of the FIFS has already been judicially recognized as a business and consequently, entitled to protection under Article 19(1)(g) of the Constitution of India and the prayer seeking directions to the State Government to prohibit the same would be opposed to Article 14 and 19(1)(g) of the Constitution of India.

6. Accordingly, the present matter is covered by the aforesaid judgment and the petition stands dismissed in terms of the judgment passed by this Court in the case of **Ravindra Singh Chaudhary (supra)**.

(SATISH KUMAR SHARMA),J

(INDRAJIT MAHANTY),CJ

KAMLESH KUMAR /

