



2026:DHC:5269



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

% *Date of Decision: 01.07.2026*

+ **W.P.(C) 8545/2026 & CM APPL. 39689/2026**

KASHISH MALIKPetitioner

Through: Mr. Saurabh Jain and Mr.
Prayag Jain, Advocates

versus

UNION OF INDIA AND ORS.Respondents

Through: Mr. Shashank Dixit, Mr. Kunal
Dixit, Ms. Laavanya Kaushik
and Ms. Khyaati Bansal,
Advocates for R-1 and R-3
Ms. Aashita Khanna, Ms.
Ritwik Prakash and Ms.
Vidushpat Singhania,
Advocates for R-2
Mr. Parth Goswami, Advocate
for R-4

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

JUDGMENT

DR. SWARANA KANTA SHARMA, J. (Oral)

CM APPL. 39690/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 8545/2026 & CM APPL. 39689/2026

3. By way of the present writ petition, the petitioner seeks following reliefs:



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- “a) Issue a Writ of Certiorari or any other appropriate writ, order or direction, quashing the Impugned Order dated 23.06.2026 passed by the Respondent No. 1; and/or
- b) Issue writ/order/direction in the nature of Mandamus or any other appropriate writ thereby directing Respondents No. 1 (Union of India/Ministry of Youth Affairs & Sports) to forthwith forward the name of the Petitioner to Respondent No. 2 (IOA) and to the Asian Taekwondo Union for participation in the Women's Under-57 Kg event at the 20th Asian Games, Aichi-Nagoya, 2026; and/or
- c) Issue a Writ of Mandamus or any other appropriate writ, order or direction, directing Respondent No. 2 (IOA) to include the name of the Petitioner in India's final athlete list to be submitted for the 20th Asian Games, 2026...”

4. Issue notice. The learned counsels accept notice on behalf of respondents.

5. It is the case of the petitioner that she has devoted the prime years of her athletic career to representing India in international Taekwondo competitions and that, by securing a Bronze Medal at the 27th Asian Taekwondo Championships held at Ulaanbaatar, Mongolia, in May, 2026, in the Women's Under-53 Kg category, she had secured for India a qualification slot in the Women's Under-57 Kg event at the 20th Asian Games, Aichi–Nagoya, 2026, in accordance with the qualification framework prescribed by the Asian Taekwondo Union. Aggrieved by the impugned order whereby she has been declared ineligible to participate in the said Asian Games, the petitioner has approached this Court seeking appropriate relief.

6. As set out in the petition, the petitioner has represented India in several national and international Taekwondo competitions over the years and has secured commendable performances at various



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prestigious events. Her achievements include participation in two World Championships, two Asian Championships, the 2018 Asian Games, where she reached the quarterfinals in the Women's Under-57 Kg category, the 13th South Asian Games, 2019, where she secured a Gold Medal in the Women's Under-57 Kg category, the Malaysia Cup and the Asian Invitation Cup, where she also won Gold Medals in the same category, besides securing a Bronze Medal at the Vietnam Cup, 2025.

7. The learned counsel appearing for the petitioner submits that despite the petitioner having qualified under the qualification framework prescribed by the Asian Taekwondo Union [hereafter 'ATU'] and despite respondent no. 4 [India Taekwondo] having recommended her candidature, respondent no. 1 [Ministry of Youth Affair and Sports] has passed the impugned order dated 23.06.2026 whereby the petitioner has been declared ineligible to participate in the 20th Asian Games, 2026. It is contended that the impugned order proceeds on an erroneous premise that the petitioner's Bronze Medal in the Women's Under-53 Kg category is irrelevant on the ground that the said category now does not exist as a standalone event at the Asian Games. The learned counsel argues that the respondent authorities have failed to appreciate that the petitioner had earned qualification for the Women's Under-57 Kg Taekwondo event at the 20th Asian Games, Aichi-Nagoya, 2026 by securing a Bronze Medal at the 27th Asian Taekwondo Championships held at Ulaanbaatar, Mongolia, in May, 2026, which had been expressly designated by the



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ATU as the official qualification competition for the said Asian Games.

8. The learned counsel further submits that respondent no. 4, India Taekwondo, is the Member National Association (MNA) affiliated to the ATU and is the competent body responsible for recommending athletes and liaising with the ATU. It is submitted that respondent no. 4 itself had formally recommended the petitioner's name for participation in the Women's Under-57 Kg event at the 20th Asian Games *vide* communication dated 23.06.2026, thereby acknowledging and endorsing that the petitioner had secured qualification in terms of the qualification framework prescribed by the ATU.

9. It is further submitted that the ATU had, on 12.02.2026, issued the Official Event Document ('Outline') for the 27th Asian Taekwondo Championships scheduled to be held at Ulaanbaatar, Mongolia from 21st to 24th May, 2026. The learned counsel points out that the said document specifically stipulated that the Championship would serve as the qualification competition for the 20th Asian Games, Aichi-Nagoya, 2026 and further clarified that two Championship weight categories would be combined into one corresponding Asian Games weight category for the purposes of qualification.

10. It is contended by the learned counsel for the petitioner that in terms of the Official Event Document issued by the ATU, the medal winners in each Championship weight category were to qualify for



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the corresponding weight category at the 20th Asian Games, 2026. Since the Women's Under-53 Kg and Women's -57 kg Championship categories had been merged into a single Women's -57 kg event for the Asian Games, it is submitted that the petitioner's Bronze Medal in the Women's -53 kg category automatically secured for her a qualification slot in the Women's -57 kg event at the 20th Asian Games. It is, therefore, argued that in view of the qualification framework prescribed by the ATU, the petitioner alone is entitled to represent India in the Women's -57 kg category, having secured qualification through a medal-winning performance at the designated qualification event.

11. Reliance is also placed on Clause 4(ii)(a) of the Ministry's Circular dated 24.09.2025 to contend that where the Senior Asian Championship has been held within twelve months preceding the Asian Games, an athlete securing a sixth or better position in the relevant event at the Senior Asian Championships becomes eligible for nomination by the National Sports Federation. It is submitted that the petitioner, having secured the Bronze Medal, i.e., a third-place finish at the 27th Asian Taekwondo Championships held in May, 2026, squarely satisfies the eligibility criteria prescribed under the said Circular and, therefore, the impugned decision declaring her ineligible is contrary to both the ATU Qualification Framework as well as the Ministry's Selection Guidelines.

12. It is stated that the competent authority, in the impugned Order, does not dispute the petitioner's Bronze Medal achievement.



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Its only basis for holding the petitioner ineligible is that the -53 kg category does not exist at the Asian Games. As demonstrated above, the learned counsel states this reasoning fundamentally misconstrues the operation of the competent authority's own Circular read in conjunction with the ATU's qualification mechanism. It is stated that the criteria must be applied to the Championship category in which the athlete competed (-53 kg) which, through the ATU's merger rule, corresponds to the Asian Games category (-57 kg).

13. The impugned order dated 23.06.2026, bearing No. 72-05/2026, issued by the Ministry of Youth Affairs & Sports (respondent no. 1), whereby the petitioner has been declared ineligible for participation in the 20th Asian Games, 2026, is reproduced hereunder:

“Sub:- Compliance of Order dated 17.06.2026 passed in CWP No. 19264 of 2026 titled as "Aranaya Thakur V/s Union of India & Ors." filed before the Hon'ble High Court of Punjab & Haryana at Chandigarh- reg.

Whereas the Hon'ble High Court of Punjab & Haryana at Chandigarh, vide its Order dated 17.06.2026 passed in CWP No. 19264 of 2026 titled as "Aranaya Thakur V/s Union of India & Ors.", while disposing off the writ petition directed this Ministry to consider the undated representation (**Annexure P-7**) annexed with the Petition within the parameters mentioned in Ministry's circular dated 24.09.2025 (**Annexure P-6**) annexed with the petition on or before 23.06.2026.

Whereas *admittedly*, no sports federation/association is currently recognized as a National Sports Federation for the sport discipline of Taekwondo by this Ministry in the country.

Whereas **Clause (5)** of the circular dated 24.09.2025 concerning selection criteria for individuals and teams for participation in Asian Games, 2026, Para-Asian Games, 2026 etc., provides for a relaxation clause which reads as under:-



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If in the opinion of the experts of specific sports disciplines, and SAI, participation of individuals and teams in relaxation of the above criteria is recommended with justifiable reasons, the same will be considered in the Ministry for appropriate decision.

Whereas pursuant to the Hon'ble High Court direction vide Order dated 17.06.2026, this Ministry sought comments/opinion of Sports Authority of India on the undated representation of the Petitioner vis-à-vis invocation of relaxation clause in terms of the Ministry's circular dated 24.09.2025. In sequel, comments were duly received from Sports Authority of India in the matter on 20.06.2026.

Whereas SAI has apprised this Ministry that no communication regarding the selection of athletes for 27th Asian Taekwondo Championship held at Mongolia or the subsequent selection trials for the 20th Asian Games, 2026 has been received. Further, it has been apprised that, in the present case, Ms. Kashish Malik secured a Bronze Medal in the -53 kg individual category and Ms. Aranya Thakur secured the 9th position in - 57 kg individual category at the Asian Taekwondo Championship 2026. As per Sports Technical Handbook issued by the Organizing Committee for the Asian Games, 2026, competitions for women will be in four weight categories, viz., -49kg, -57kg, -67kg, +67kg. It is seen that -53kg category, in which Ms. Kashish Malik (Respondent No. 5) secured Bronze medal in Asian Taekwondo Championship 2026, is not an event/category in the 20th Asian Games 2026.

Whereas clause 4(ii) (a) of the circular dated 24.09.2025 provides that where Senior Asian Championship was held within 12 months preceding the upcoming Asian Games or world Rankings are promulgated regularly: The NSF will be eligible to nominate an athlete if either in a weight category/event athlete has achieved a 6th or better finish in that category/event at the last Senior Asian Championships held within the last 12 months; or his/her World ranking is amongst top 6 of Asian nations in international rankings as of 10 days before submission deadline of the final list by name.

Whereas in terms of Rule 8.3 (Entry Policies) of the Sport Technical Handbook, National Olympic Committee (NOC) of the country i.e., IOA in the present case may enter a



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maximum of one athlete per division of Kyorugi and Poomsae events.

Whereas taking into consideration the comments/opinion provided by SAI in the matter, it is observed that neither the Petitioner viz., Ms. Aranya Thakur nor the Respondent No.5 viz., Ms. Kashish Malik meets the eligibility criteria as enshrined in the circular dated 24.09.2025. It is needless to state herein that the selection criteria laid down by this Ministry vide afore-stated letter is to ensure that the athletes who have real chance of winning medal are only considered for participation in multidisciplinary sports events.

Whereas, in light of the foregoing paras and reasons mentioned herein-above, the undated representation of the Petitioner is bereft and devoid of any merit and therefore, does not warrant any further consideration for invocation of relaxation clause by this Ministry within the parameters mentioned in its circular dated 24.09.2025.

Now, therefore, in compliance of the directions of the Hon'ble High Court of Punjab & Haryana at Chandigarh dated 17.06.2026, and after due consideration of the undated representation of the Petitioner, the said representation seeking invocation of relaxation clause by this Ministry as per Ministry's circular dated 24.09.2025 is hereby disposed of accordingly within the afore-stated observations.

This issues with the approval of the competent authority.”

14. The learned counsel appearing for respondent no. 1/Ministry of Youth Affair and Sports submits that the petitioner herein is not eligible to participate in the Asian Games 2026 and therefore, according to the policy formulated by the Ministry, the impugned order dated 23.06.2026 has been passed. In this regard, he draws this Court's attention to the contents of the impugned order, wherein it is specifically observed as under:

“ Whereas SAI has apprised this Ministry that no communication regarding the selection of athletes for 27th



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Asian Taekwondo Championship held at Mongolia or the subsequent selection trials for the 20th Asian Games, 2026 has been received. Further, it has been apprised that, in the present case, Ms. Kashish Malik secured a Bronze Medal in the -53 kg individual category and Ms. Aranya Thakur secured the 9th position in -57 kg individual category at the Asian Taekwondo Championship 2026. As per Sports Technical Handbook issued by the Organizing Committee for the Asian Games, 2026, competitions for women will be in four weight categories, viz., -49kg, -57kg, -67kg, +67kg. It is seen that -53kg category, in which Ms. Kashish Malik (Respondent No. 5) secured Bronze medal in Asian Taekwondo Championship 2026, is not an event/category in the 20 Asian Games 2026.

Whereas clause 4(ii) (a) of the circular dated 24.09.2025 provides that where Senior Asian Championship was held within 12 months preceding the upcoming Asian Games or world Rankings are promulgated regularly: The NSF will be eligible to nominate an athlete if either in a weight category/event athlete has achieved a 6th or better finish in that category/event at the last Senior Asian Championships held within the last 12 months; or his/her World ranking is amongst top 6 of Asian nations in international rankings as of 10 days before submission deadline of the final list by name.

Whereas in terms of Rule 8.3 (Entry Policies) of the Sport Technical Handbook, National Olympic Committee (NOC) of the country i.e., IOA in the present case may enter a maximum of one athlete per division of Kyorugi and Poomsae events.

Whereas taking into consideration the comments/opinion provided by SAI in the matter, it is observed that neither the Petitioner viz., Ms. Aranya Thakur nor the Respondent No.5 viz., Ms. Kashish Malik meets the eligibility criteria as enshrined in the circular dated 24.09.2025. It is needless to state herein that the selection criteria laid down by this Ministry vide afore-stated letter is to ensure that the athletes who have real chance of winning medal are only considered for participation in multidisciplinary sports events..."

15. In this Court's opinion, the principal contention of the learned counsel for respondent no. 1 is that the petitioner is not eligible to participate in the Asian Games, 2026, merely because she won a bronze medal in the -53 kg category at the Asian Taekwondo



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Championship, 2026. It has been argued that the -53 kg and -57 kg categories have now been merged into a single category, i.e., -57 kg, and since the petitioner won a bronze medal only in the -53 kg category, which is no longer a standalone category, she cannot be considered automatically eligible under the Ministry's policy contained in the circular dated 24.09.2025.

16. In essence, the learned counsel for respondent no. 1 does not dispute that the petitioner won a bronze medal in the -53 kg category at the Asian Taekwondo Championship, 2026, but primarily contends that winning a bronze medal in the -53 kg category has now lost its significance since she did not win a medal in the -57 kg category, in light of the fact that the -53 kg category is no longer a standalone category. This Court finds that it is strange and meritless submission, since as per rules, a person who is eligible to participate in -53 kg and has already won a medal, is now expected to have participated in -57 kg category also, though a person is eligible to participate only in one category. To simplify, a person cannot participate in the -53 kg as well as in the -57 kg category, which were two different categories when Asian Taekwondo Championship 2026 were held in May 2026.

17. Moreover, the learned counsel for respondent no. 4, i.e. India Taekwondo, also drew this Court's attention to the fact that the submission of the learned counsel appearing for respondent no. 1 is incorrect, for the reason that the petitioner herein has to fulfill eligibility criteria to the extent of having secured 6th position or better in the Asian Championship held in last 12 months, and she has



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finished third and won bronze medal in Asian Taekwondo Championship 2026, and therefore, she is eligible to participate in the Asian Games, 2026. He also drew this Court's attention to the eligibility criteria as per competent authority's circular dated 24.09.2025, which provides as under:

“4. Benchmarks for individual sports and events and team sports and events

X X X

(II) Non-Measurable Individual Sports and Events

a. Where Senior Asian Championship was held within 12 months preceding the upcoming Asian Games or world Rankings are promulgated regularly:

The NSF will be eligible to nominate an athlete if either in a weight category/event athlete has achieved a 6th or better finish in that category/event at the last Senior Asian Championships held within the last 12 months; or his/her World ranking is amongst top 6 of Asian nations in international rankings as of 10 days before submission deadline of the final list by name.”

18. The Ministry/respondent no. 1 does not dispute that the petitioner fulfils the aforesaid criteria and had secured a sixth or better finish (i.e. third position) in the last Senior Asian Championships held within the preceding twelve months (i.e. the Asian Taekwondo Championship, 2026, held in May, 2026). The only objection raised is that the said medal was secured in the -53 kg category and not in the -57 kg category, and that the two categories have now been merged, with the -57 kg category succeeding the -49 kg category.

19. Since it is undisputed that a player is not permitted to participate in two distinct categories, as discussed above, the



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contention of the learned counsel for respondent no. 1 is self-defeating. A player can participate only in one category and not in two. Therefore, once the rules themselves do not permit a player to participate in both the -53 kg and -57 kg categories, the competent authority cannot reasonably expect such a player to have participated in both categories and thereafter hold her responsible for not having won a medal in the -57 kg category.

20. Further, since the -53 kg and -57 kg categories have now been merged and, after the -49 kg category, there exists only the -57 kg category, the only logical conclusion is that a player who had participated in either the -53 kg or the -57 kg category at the Asian Taekwondo Championship, 2026, would be eligible to be considered as having won a medal in the merged -57 kg category. Any other interpretation would lead to an absurd situation where, despite the rules prohibiting participation in two categories, the competent authority penalises a player for not having qualified or won a medal in both categories.

21. This Court also does not agree with the contention of the learned counsel for respondent no. 1 that the petitioner cannot be treated as participating in the -57 kg category. At the cost of repetition, it may be observed that the newly merged category has been designated as the "-57 kg" category. Therefore, a player who has already won a medal in any category falling between 53 kg and 57 kg would be eligible to be considered and recommended for participation in the Asian Games, 2026, as having won a medal in the



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merged category, in terms of Rule 4(ii)(a) of the circular dated 24.09.2025.

22. The learned counsel for respondent no. 1 also did not dispute that the petitioner is the only person who has qualified the -53 kg category and has won a medal for India. It is also not disputed that there is no other person who has won a medal in Asian Championship 2026 for the country in any other category i.e. either -53 kg or -57 kg and therefore, in case her name is not forwarded though having won a medal in -53 kg category, which makes her eligible to be considered in newly merged -57 kg category, she will lose a chance to participate, though eligible.

23. The impugned order has therefore been passed without appreciating that categories of -53 kg and -57 kg have been merged into -57 kg only, and there is no other person from -53 kg or -57 kg who has won a medal for India in Asian Championship 2026, except the petitioner which makes her eligible for consideration for forwarding her name for participation in the Asian Games.

24. Considering the same, this Court sets aside the impugned order passed *qua* the present petitioner and directs that her name be considered by the concerned Competent Authority, in light of the observations made in this order.

25. The learned counsel for IOA has also submitted that they have forwarded the name of the present petitioner and has filed on record the screenshot of the portal of the Asian Games Organising Committee which finds the name of the present petitioner at serial no.



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6, making it clear that her name has already been forwarded as the candidate participating in this category by IOA. The learned counsel respondent no. 1 states that they have not received the list officially, however, a copy of the same has been given to them in the Court.

26. However, considering the peculiar circumstances of the case that it is about 3:30 PM and the name of the petitioner has to be sent by 8:00 PM today, the hearing in this case took place for about two hours and was concluded at about 4:00 PM itself, the competent authority will ensure that the name of the petitioner is considered for forwarding to the Asian Games Organising Committee. The learned counsel for respondent no.1 will apprise the competent authority of this order orally, till it is uploaded or a *dasti* copy is given to him.

27. It is also crucial to note that the policy in question (i.e. circular dated 24.09.2025) was made when the -53 kg and -57 kg category for Taekwondo had not been merged and therefore, the present situation could not have been contemplated.

28. The petition alongwith pending application is disposed of, in above terms.

29. A copy of this order be given *dasti* to the learned counsel for the petitioner under the signature of Court Master.

30. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 01, 2026/ns

T.D./T.S.