

OFFICE OF THE RETURNING OFFICER

W.F.I. ELECTIONS 2023.

**(In the matter of formation of Electoral College-
Haryana State)**

**Haryana Amateur Wrestling Association (Rohtash
Singh, party One) and Haryana Wrestling Association
(Deepender Hooda, party Two)**

Coram: Justice Shri M.M. Kumar,
Former Chief Justice, J&K
High Court and Returning
Officer, WFI Elections 2023

Present: Representatives of party
One, Party Two and
Wrestling Federation of
India

Date: 21/07/2023

ORDER

The Election process for conducting the election of the Executive Committee of Wrestling Federation of India was issued on 13.06.2023 notifying various stages and their dates. It was also notified that recognized and eligible Wrestling Federations of the State/UT were to nominate two of their Executive Member as representatives by 19.06.2023 (later extended to

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25.06.2023). This was in keeping with Article XIII (b) & (d) of the Constitution of the Wrestling Federation of India which provided that each of the eligible Wrestling Federations were required to nominate two Executive Members of their unit to represent that State/UT in the elections. The members so nominated by the State/UT units were to constitute Electoral College and to enable them to vote to elect a new Executive Committee of the Wrestling Federation of India.

On the last date of the receipt of such nominations Hon'ble Gauhati High Court issued interim directions by its order dated 25.06.2023 (Sunday) not to proceed with the election of the Executive Committee of Wrestling Federation of India. It is appropriate to mention that as per the election notifications dated 13.06.2023/21.06.2023, the nominations received for Electoral College were to be finally prepared and displayed by the Returning Officer on 27.06.2023 by 1:00 P.M. On account of interim directions issued by the Gauhati High Court, the election process came to standstill. However, the aforesaid interim direction of Gauhati High Court has now been challenged before the Hon'ble Supreme Court in the case titled Andhra Pradesh Amateur Wrestling Association Vs Assam Wrestling

Association in an SLP, diary no. 25626/2023. A communication to that effect has been received on my office mail from Sh. Hemant Raj Phalpher, Advocate late in the evening on 18.07.2023 disclosing that the Hon'ble Supreme Court has stayed the interim direction issued by the Gauhati High Court on 25.06.2023 & a copy of order dated 18.07.2023 has also been sent. Accordingly, we proceed from the stage where we were on 25.06.2023. The rescheduled process from that day onwards is being issued separately.

There are some state units where rival factions have claimed right to nominate members to constitute Electoral College. State of Haryana is one of those states. Accordingly, it was decided to hear their point of view on 21.06.2023. The rival factions from the State of Haryana were heard. The order was reserved because Indian Olympic Association [IOA] and WFI sought and were granted five days time to resolve the issues themselves between rival factions citing the reason to avoid embarrassment at international level. Then on 25/06/2023 the Gauhati High Court stayed the election process by an interim order but the same was vacated by

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the Hon'ble Supreme Court of India (supra). Therefore, the order is pronounced today. A copy of the Order is being sent to the respective parties on their respective email addresses and the same can be seen on the website: – <https://olympic.ind.in/>, <http://wrestlingfederationofindia.org/>

Two sets of nominations dated 14.6.2023 and 19.6.2023 were received from the state of Haryana. Party No1. Shri Rohtash Singh and Shri Rakesh Singh nominated themselves being President and General Secretary, respectively from the "Haryana Amateur Wrestling Association" and the other two names were from Party No.2 Shri R.K. Hooda and Shri Ashok Kumar nominated by Shri Deepender Singh Hooda being President and Shri R. K. Hooda being General Secretary, respectively from "Haryana Wrestling Association".

In terms of Article IV of the said constitution only two representatives can vote at the election, notice dated 15/06/2023 was issued to both the factions to file their clarifications/evidence to substantiate respective claims before the undersigned.

The Party No.2 led by Sh. Deepender Hooda was represented by Sh. R.K. Hooda and Sh. Vikas Dahiya. The written submissions were perused and both aforesaid representatives were heard at length. Their main grievance was that the WFI had dissolved their unit for no reason without following due process of law and withdrawn its affiliation arbitrarily but admitted that they have not taken recourse to legal remedies on this behalf. Their emphasis was on different provisions of the constitution of WFI on recognition and disciplinary actions. It has been submitted by them that they have the recognition from the State Olympic Association.

The Party No.1 led by Sh. Rohtash Singh was represented by Sh. Rohtash Singh himself. The written submissions filed by him were perused and he was also heard at length. It has been submitted that the elections of their state body were held in accordance with law and the same have been approved by the WFI and they have got recognition and affiliation from the WFI. It has been further submitted that they also have the affiliation from the State Olympic Association.



I have considered the Oral and written submission made by Party No.1 & Party No.2. I have also perused the material placed on record and heard both the parties. Mr. Bhupender Singh Bajwa and other WFI representatives are also present with the records. On careful consideration of the whole matter, I have come to the conclusion that the Party No.2 Haryana Wrestling Association headed by Sh. Deepender Hooda has neither challenged the elections of the Haryana Amateur Wrestling Association nor withdrawal of its affiliation by the WFI before any legal forum of competent jurisdiction to adjudicate such matters. I can not adjudicate on such issues and as a Returning Officer I can determine their eligibility as on date. From the records of the WFI it has been found that the Party No. 1 and Party No.2 both have been recognized by the State Olympic Association. However, the Party No.1 i.e. Haryana Amateur Wrestling Association has been duly recognized by the WFI also and so I am inclined to accept the Party No.1 as authorized unit eligible to recommend names for inclusion in the Electoral College of the WFI Elections-2023. According to Article XXIV (f) only Party No.1 satisfies the mandatory requirements of affiliation /



recognition by State Olympic Association and WFI. Party No.2 clearly fails to satisfy the eligibility criteria.

As a sequel to the above discussion, I hold that the nomination filed by Party No.1 led by Shri Rohtash Singh and Sh. Rakesh Singh be included in the electoral college of the WFI for the ensuing election and the claim made by Party No.2 is hereby rejected being devoid of merit.



**[Justice M.M. Kumar]
Returning Officer &
Chief Justice, High Court of J&K [Retd.]**

**M.M. Kumar
Chief Justice, J&K High Court (Retd.)
Returning Officer
WFI Elections 2023**