



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.769 OF 2025**

Shravani Pratap Suryawanshi & Ors.] .. Petitioners

vs.

Union of India & Ors.] .. Respondents

Mr.G.N. Salunke a/w Rupesh Turbhekar i/b Umesh Kurund, for the petitioners.

Ms.Jyoti Yadav i/b S.U. Bharucha for Respondent No.1.

Ms.Tvishi Pant i/b Keystone Partners for Respondent No.2.

Mr.Mukesh Pathak a/w Abhishek for Respondent No.4.

**CORAM : BHARATI DANGRE &
ASHWIN D. BHOBE, JJ**

DATE : 17th JANUARY, 2025.

P.C.

1. The scenario projected before us in the present Writ Petition is a clear picture of how Sports/Games are looked at by the State of Maharashtra and how the Sports fraternity suffer on account of its apathy.

In order to have participation of the swimmers from the State of Maharashtra in the three national events, the Maharashtra State Aquatic Coordination Committee, appointed by the Swimming Federation of India, conducted trials for participation in the 38th National Games to be held Uttarakhand.

2. On 09.01.2025, the Swimming Federation of India (SFI), addressed a communication to the Convenor of the SFI designated steering committee of Maharashtra State Aquatics Coordination (MSAC), informing that as regards the trials conducted on 04/01/2025 and 05/01/2025, an allegation was levelled by one Ms.Hrutika Shriram (Respondent No.4), in her letter dated 05/01/2025 that trials conducted were unfair and biased.

Upon this complaint being lodged, the Swimming Federation of India directed the Convenor of MSACC, that the entries for the diving team submitted by an email dated 06/01/2025 are set aside and the final entries shall be resubmitted after fresh selection trial is conducted by appointing neutral Judges from outside the State of Maharashtra.

3. In the wake of the aforesaid, communication received from the Swimming Federation of India, MSACC, on 11/01/2025 directed conduct of retrials of Diving event (women) with participation of qualified Judges from the other States, in order to ensure fair selection opportunity for all Maharashtra Team Athletes participation for the 38th National Games.

4. The unfortunate part in the whole scenario is, today on 17/01/2025 a week ahead from 29/01/2025, MSACC has not been

able to find out neutral persons to act as Judges and as a result the direction dated 11/01/2025 for conduct of fresh trials, is not yet complied with.

The consequence of this lapse is that the cut-off date for submission of entries of the Maharashtra Diving Team being 18/01/2025, the team of Maharashtra is likely to miss the National Events of Swimming.

5. It is really unfortunate to note that the MSACC is unable to trace persons outside the state, for judging the trials and the Petitioner Nos.1, 3 and Respondent No.4 (complainant) are likely to miss the event, despite the fact that on an earlier occasion their names were forwarded as a part of the Maharashtra Diving Team.

Though the learned counsel for the Petitioners would make a request that the Swimming event in 38th National Games to be conducted on 29/01/2025 onwards itself shall be postponed, we afraid that the relief cannot be granted by us, because we understand that in the National Games there would be participants from various states, and in their absence it would be difficult for us to postpone the entire event.

However, in the peculiar scenario, MSACC to make a representation to the Swimming Federation of India or the Games

Technical Conduct Committee (GACC), under whose aegis the event is likely to be conducted, to request for an extension on behalf of State of Maharashtra, for forwarding the names of Swimmers from Maharashtra on account of the difficulty faced by them since they expect the re-trials to be conducted very shortly.

In any case, it is upto the concerned committee to take appropriate decision, on such a request, depending upon their policy and since the GTCC is not a party to the proceedings and considering that the event is one of a National interest, involving interest of many participants, it may not be appropriate for us to issue mandamus, asking them to take decision upon the said communication, in a particular way, but we expect them to adopt sympathetic approach so that the swimmers from the State of Maharashtra may not lose an opportunity to participate in the National Event.

6. With this observation, which we expect to be communicated by the learned counsel representing Union of India, to the GTCC, as well as Swimming Federation of India, the Writ Petition is disposed off.

(ASHWIN D. BHOBE, J.)

(BHARATI DANGRE, J.)