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

**Date of Decision: 30<sup>th</sup> September, 2024**

+ **W.P.(C) 10097/2024, CM APPL. 41373-41374/2024**

TIDDIM ROAD ATHLETIC UNION TRAU FOOTBALL CLUB

.....Petitioner

Through: Mr. Abhishek Anand, Mr. M.P.  
Devnath, Ms. Kumudavalli S.  
Seetharaman and Mr. Rahul Kumar,  
Advocates.

versus

UNION OF INDIA AND ANR.

.....Respondents

Through: Mr. Prateek K. Chadha, Mr. Sreekar  
Aechuri and Mr. Arjun Nayyar,  
Advocates for R-2.  
Mr. Amit Tiwari, CGSC with  
Ms. Lavanya Kaushik, GP with  
Mr. Ayush K. Tanwar and Mr. Rahul  
Bhaskar, Advocates for R-1.

+ **W.P.(C) 10100/2024, CM APPL. 41377-41378/2024**

NORTH EASTERN RE ORGANISING CULTURAL  
ASSOCIATION FOOTBALL CLUB NEROCA

.....Petitioner

Through: Mr. Abhishek Anand, Mr. M.P.  
Devnath, Ms. Kumudavalli S.  
Seetharaman and Mr. Rahul Kumar,  
Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Prateek K. Chadha, Mr. Sreekar  
Aechuri and Mr. Arjun Nayyar,  
Advocates for R-2.  
Mr. Anil Soni, CGSC with  
Mr. Devvrat Yadav, Go for UOI.



**CORAM:  
HON'BLE MR. JUSTICE SANJEEV NARULA**

**JUDGMENT**

**SANJEEV NARULA, J. (Oral):**

1. The Petitioners, Tiddim Road Athletic Union (Trau) Football Club, and North Eastern Re-Organising Cultural Association Football Club, have filed the present petition, assailing the communication dated 1<sup>st</sup> July, 2024, issued by Respondent No. 2/ All India Football Federation (AIFF). By this communication, the Petitioner Clubs were relegated from the prestigious I-League to the 2<sup>nd</sup> Division League (I-League 2) for the 2024-25 season. This relegation, according to AIFF, was a direct consequence of the Petitioner Clubs' positions at the bottom of the points table during the 2023-24 season.

2. Given that the grievances of the Petitioners stem from their relegation pursuant to the same impugned communication, the Court is disposing of the present petitions by way of a common order.

3. Ms. Kumudavalli S. Seetharaman and Mr. Abhishek Anand, counsel for the Petitioners, present the following facts and arguments before this Court:

3.1 The Petitioners are longstanding and respected football clubs hailing from the State of Manipur, with a history of commendable performance. Their impressive past achievements earned them promotion to the I-League 1<sup>st</sup> Division shortly after debuting in the 2<sup>nd</sup> Division, establishing them as top contenders in the League.

3.2 The Petitioner Clubs entered into an 'Agreement of Participation' dated 18<sup>th</sup> October, 2023 with the AIFF, for participation in AIFF's competitions for the 2023-2024 season.



3.3 The grievance of the Petitioner Clubs stems from the communication dated 1<sup>st</sup> July, 2024 issued by the AIFF, relegating them to the 2<sup>nd</sup> division of the I-League. The said decision was made without proper consideration of their history of consistent and outstanding performance.

3.4 The communal disturbances in the state of Manipur significantly disrupted the tournament, leading to the forced relocation of the Petitioner Clubs' home matches to another state by AIFF. This abrupt transition deprived the Clubs of crucial home support, forcing players to compete far from their state, while their families remained in turmoil in Manipur. These exceptional circumstances adversely impacted the Clubs' practice sessions and overall preparation, which in turn, affected their performance in the League. The Petitioners made multiple requests to AIFF to reconsider the venue change, however, AIFF proceeded to shift the matches to Kalyani Stadium in Kolkata without adequately considering the impact on the players.

3.5 AIFF has previously exercised its discretion and duly considered the aforesaid circumstances while deciding on the issue of relegation. In past instances, clubs like Aizawl FC, Churchill Brothers FC, NEROCA FC, and Kenkre FC, have been exempted from relegation. The decision to deny the Petitioner Clubs similar consideration, despite their extenuating situation, is manifestly arbitrary and unfair.

3.6 The Petitioner Clubs sought the intervention of the Hon'ble Chief Minister of Manipur, outlining the adverse conditions that affected their performance and requesting a reconsideration under Clause 4.6.74 of the I-League Regulations. This request, however, was not accepted.

3.7 In light of the aforementioned submissions, the impugned relegation



of the Petitioner Clubs must be set aside for being arbitrary, unreasonable and in violation of Article 14 of the Constitution of India.

4. When the instant matter was taken up for admission, the Court *vide* order dated 24<sup>th</sup> July, 2024, had considered the factual background and sought clarification from AIFF regarding the instances of exemption previously granted to football clubs. In compliance with the said directions, AIFF, in their counter affidavit, has provided detailed explanations illustrating that each example cited by the Petitioners was based on entirely distinct facts and circumstances. The relevant portion of the counter affidavit is reproduced below:

*“17. There are four exemptions that the present petition notes, to support its case. These cases, however, are qualitatively quite different from the present scenario. These examples are dealt with individually below:*

*A. Churchill Brothers Sports Club– The Order of this Hon’ble Court cited by the Petitioner [Annexure P-15 @ pg. 251 of the Writ Petition] clearly notes that there existed vacancies in the league at the time and hence, when the Hon’ble Court directed the Respondent No. 2 to reconsider the case of the club, the Answering Respondent exercised its discretion and allowed the club to participate in the league.*

*In the instant scenario, no such vacancy is available in the League and even if it wished to accommodate the Petitioner. There is no such vacancy in the present League structure in view of the fact that the top performing teams of I-League 2 are promoted to the present League i.e., I-League 1.*

*B. Aizawl FC– A decision was taken by Respondent No. 2 to not relegate the said team despite it being liable to be relegated since it was the first time that the team was participating in the league. The Respondent No. 2 wished to promote the sport and viewership of the sport in the state of Mizoram. Considering the said factors, Respondent No. 2 *vide* Minutes of the Meeting dated 26.09.2016 allowed the club to play for another season in the I-League. This instance was also prior to the merger of the ISL and the I-League.*

*The same is not the case with the Petitioner. By its own case, the Petitioner is not a new team and was not a debutant in the competition, to be liable to seek such a relaxation from relegation.*

*C. NEROCA FC – In 2021, a sympathetic view was taken by the Respondent*



*No. 2, supported by other teams participating in the League, along with the proposal of the then technical director of the Respondent No. 2, to not relegate any team due to the prevailing circumstances of the COVID-19 pandemic. Furthermore, more than 50 National Leagues across the world decided to not relegate teams within their League Structure in view of the pandemic. Such a decision was taken irrespective of the which teams finished at the bottom of the league table and were liable to be relegated. In fact, along with the present Petitioner, another identical petition filed by NEROCA FC is pending. It is to be noted that NEROCA FC has already been a beneficiary of such a relegation exemption. This underscores the fact that there is no arbitrariness or mala fide on part of the Respondent No. 2 in dealing with the current Petitioner(s).*

*D. Kenkre FC– A sympathetic view was taken by the Respondent No. 2 due to the still prevailing circumstances of the COVID-19 pandemic along with the fact that there was a vacant slot in light of the India Arrows FC withdrawing from the league. As a result, there was a spot in the league available in view of which the relaxation was granted without any change to the structure, finances and timelines of the League.*

*The Minutes of the Meeting dated 14.05.2021, along with letters dated 01.05.2021, and 08.08.2021 issued by the Respondent No. 2, all dealing in an exemption from relegation in light of the COVID-19 pandemic, is annexed hereto as Annexure R-2 (Colly).”*

5. Pertinently, AIFF, in its counter affidavit, has pointed out Article 4.2 of the “Agreement to Participation” dated 18<sup>th</sup> October, 2023, which explicitly mandates the relegation of the two lowest-performing teams of each season. This clause, which forms the basis of the relegation decision, reads:

*“4.2 Promotion and Relegation*

*(a) The Club agrees and accepts that the winner of I-League 2023-24 shall gain Promotion to Indian Super League is subject to fulfilment of Indian Club Licensing System Premier 1 License requirements.*

*(b) Namdhari Football Club, Sri Bhaini Sahib and Inter Kashi FC are immune from relegation for the I-League 2023-24 season. The teams that finished in the last two positions after excluding the above two mentioned clubs, after conclusion of all matches of the I-League season 2023-24, will be relegated to the 2nd Division League 2024-25.*

***(c) The Club further agrees and accepts that no request for reinstatement of such relegated team shall be accepted by the AIFF under any circumstances.**”*



Placing reliance on the aforesaid clause of the agreement, AIFF has stated that they do not have any discretion to stop/reverse the relegation of the bottom two teams of the League, and therefore, the Petitioners' contention that AIFF failed to exercise its discretion to stop their relegation is untenable.

6. Ms. Seetharaman contends that the distinction drawn by AIFF between the Petitioners' situation and previous instances of exemption is misconceived, arguing that the circumstances faced by the Petitioners are, in fact, comparable to the previously exempted clubs. She asserts that the magnitude of the disruptions faced by the Petitioner Clubs—namely, the forced relocation of their home matches due to communal disturbances in Manipur—was far more severe than the circumstances of the earlier cases, where exemptions were granted. In light of this, Ms. Seetharaman challenges AIFF's claim of lack of discretionary power under the I-League Regulations, arguing that the reliance on the "Agreement to Participation," to contend mandatory relegation, is unsustainable. She further emphasizes that irrespective of the specific differences cited by AIFF, there is no reasonable basis to deny the Petitioners the same exemption that was previously extended to other clubs. Thus, she urges that the gravity of the Petitioners' plight warranted a sympathetic exercise of discretion, aligning with AIFF's past practice.

7. The Court has considered the Petitioners' arguments, but remains unconvinced. The Petitioners have referred to four instances to support their case for exemption from relegation. However, each of these cases is fundamentally distinct from the current situation. In the case of Churchill Brothers Sports Club, this Court in W.P.(C) 11218/2016, through order



dated 28<sup>th</sup> November, 2016, had explicitly noted that there was a vacancy/slot in the League, and accordingly, directed AIFF to reconsider the club's case. Pursuant to the said order, the AIFF exercised its discretion and allowed the club to participate. However, in the present scenario, no such vacancy exists in the League, due to the promotion of top-performing teams from I-League 2 to I-League 1. Therefore, even if there was an inclination to accommodate the Petitioner Clubs in I-League 1, the lack of vacancies in the League would constrain the AIFF from reversing their relegation. In the case of NEROCA FC, in 2021, AIFF, supported by other League teams, decided not to relegate any team due to the global COVID-19 pandemic, aligning with similar decisions taken by over 50 national leagues worldwide. This decision was universal, not tied to specific teams at the bottom of the League. There are similar points of differences in the other two examples cited by the Petitioners. For Kenkre FC, a sympathetic view was taken due to the ongoing pandemic, coupled with the fact that India Arrows FC had withdrawn from the League, leaving a vacant spot. The relaxation was granted without altering the League's structure, finances, or timelines. Further, the decision to not relegate Aizawl FC was taken because it was the club's first participation in the League, and the AIFF wanted to encourage the sport's growth and viewership in Mizoram. The Petitioner Clubs' situation is different from the said instance, as they are not new entrants to the competition. They cannot, therefore, claim the same grounds for seeking a relaxation from relegation. This establishes that AIFF's actions towards the Petitioners are neither arbitrary nor *mala fide*.

8. Furthermore, it is crucial to note that as per the present structure of the League, a total of 13 teams participate in a season, wherein each team plays



two matches against every other team, resulting in 24 matches per team, and 156 matches in total. In light of the said structure, allowing even a single team beyond the pre-determined 13-team limit would trigger a cascade of logistical and financial challenges for the upcoming season. Therefore, in case the Petitioners are not relegated and 14 teams are included, the number of matches would rise to 182, with each team playing 26 matches. This seemingly minor adjustment would impose substantial operational strain on AIFF. The surge in expenditures would encompass everything from match organization and logistical support to the subsidies and financial backing provided by AIFF to participating teams. Moreover, this change would disrupt the League's established timeline, extending the season's duration, and effecting subsequent seasons and other tournaments. The change would also necessitate modifications to existing player contracts, broadcasting agreements, and team commitments, creating a ripple effect that complicates the entire League's structure. In light of these practical and financial constraints, AIFF is right in arguing that they are not in a position to accommodate the Petitioner Clubs into the I-League.

9. Moreover, AIFF has apprised the Court that the structural dynamics of the I-League have significantly evolved since the instances cited by the Petitioners. Until the 2016-17 season, the I-League held the status of the country's top football league, while the Indian Super League (ISL) was yet to receive formal recognition from the Asian Football Confederation. This structure changed in the 2017-18 season, when the ISL was officially established as the top-tier league, necessitating restructuring of the I-League. This reorganization marked a seismic shift in the landscape of Indian football. Since then, the I-League and ISL have operated in parallel, with





AIFF now planning to integrate the leagues. For the 2024-25 season and beyond, there are concrete plans to subsume the I-League into the ISL, streamlining the national football league system. Allowing the Petitioners' request in the said circumstances, would not only disrupt the current League structure, but also jeopardize the roadmap meticulously outlined by AIFF for the future of Indian football. This potential disruption underscores the importance of adhering to the current relegation rules, which serve the broader objective of maintaining a structured, progressive league system.

10. In light of the aforesaid submissions, the Court is not inclined to allow the present petition. It must also be emphasized that the jurisdiction of this Court in matters of this nature is severely restricted. Sports leagues operate under strict guidelines designed to ensure fairness, competitive integrity, and proper management of tournaments. The Petitioners, by agreeing to the terms of participation, implicitly accepted the rules governing promotion and relegation, including the finality of rankings based on seasonal performance. The discretionary power in question resides solely with AIFF, which is the federation empowered to decide on granting exemptions. This Court cannot compel a sports federation to exercise its discretion in a particular way, especially when no legal provision explicitly mandates such an outcome. The writ jurisdiction is not designed to substitute the Court's judgment for that of the federation, but rather to ensure that discretion, if exercised, is within the boundaries of the law and is free from arbitrariness or *mala fides*.

11. The Petitioners' notion, that they are entitled to an exemption as a matter of right, is fundamentally flawed. Unless there is a clear violation of fundamental rights or a patent illegality in the procedure, it would be



inappropriate for this Court to interfere with the decisions taken by AIFF. While the Petitioners have cited previous instances where exemptions were granted, those examples do not automatically entitle the Petitioners to the same relief. The exercise of discretionary power by AIFF is highly fact-specific, whereby each case has to be evaluated on its own unique circumstances and merits. The contextual constraints of each situation vary, and no two cases are identical. In the present instance, the Petitioners have failed to establish any element of *mala fide* intention or arbitrariness on part of AIFF, in how it exercised—or chose not to exercise—its discretionary powers. Additionally, it is important to note that the Petitioners fully participated in the League matches, and their ranks were assigned solely based on their respective performances. This process was in accordance with the League’s established rules and regulations. Therefore, given that no legal right was infringed and that the discretion was exercised within the parameters of the governing regulations, this Court finds no valid basis to intervene in AIFF’s decision-making process. Granting relief on the basis of sympathy or exceptional circumstances would disturb the balance of the League, paving way for subjective interpretations of League rules in future disputes, and jeopardizing the fair conduct of sporting tournaments.

12. For the foregoing reasons, the Court finds no merit in the present petitions, and accordingly, the same are dismissed.

**SANJEEV NARULA, J**

**SEPTEMBER 30, 2024**

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