

Court No. - 39

Case :- WRIT - C No. - 34291 of 2023

Petitioner :- Rodrigo Bazzo Dinardi

Respondent :- Union Of India And 5 Others

Counsel for Petitioner :- Raghav Dev Garg, Sr. Advocate

Counsel for Respondent :- A.S.G.I., C.S.C., Sanjay Kumar Om

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Shiv Shanker Prasad, J.

1. Heard Sri Anurag Khanna, learned Senior Advocate assisted by Sri Raghav Dev Garg, learned counsel for the petitioner, Sri S.P. Singh, learned Standing Counsel and Sri Sanjay Kumar Om, learned counsel for Union of India.

2. The present writ petition has been pressed seeking the following relief:

i Issue writ, order of direction in the nature of certiorari quashing the impugned order dated 13.03.2023 issued by the respondent no.2 herein, i.e. Foreigners Regional Registration Officer, Lucknow whereby while exercising powers under section 3 (2)(c) of the Foreigners Act, 1946, the petitioner, who is a Brazilian national, was directed to depart from India immediately.

ii Issue writ, order of direction in the nature of mandamus directing the respondents herein, specifically the respondent no.1 to process the application of the petitioner seeking citizenship by naturalization under Section 6 of the Citizenship Act, 1955, which is pending since 03.11.2022, in an expeditious manner and in the interregnum, the respondents be restrained from taking coercive steps apropos the stay of the petitioner in India.

iii Issue writ, order of direction in the nature of mandamus directing the respondent no.2 to grant extension of the honorary employment visa, applied through application dated 26.06.2022.

3. By the communication dated 13.3.2023, the petitioner's Visa extension application was rejected. The Foreigners Regional Registration Officer, Lucknow informed the petitioner that under

section 3 (2) (c) of the Foreigners Act, 1946 (hereinafter referred to as the Act), the petitioner shall not remain in India and that he shall depart, immediately.

4. On identical facts, a separate order of the date has been passed in Writ-C No. 35732 of 2023 'Elizabeth Cahil vs. Union of India and 5 others'. .

5. Accordingly, the present writ petition is also **disposed of** on the same terms.

Order Date :- 5.12.2023
Madhurima