



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 18700 OF 2026 (GM-FA)

BETWEEN:

1. M/S SITARAM JINDAL FOUNDATION
16TH KM TUMKUR ROAD,
JINDAL NAGAR,
BENGALURU - 560 073
KARNATAKA
NATURE OF BUSINESS:
CHARITABLE,
PROVIDING SCHOLARSHIPS TO MERITORIOUS AND NEEDY
STUDENTS ACROSS INDIA,
FOREIGN CONTRIBUTION REGULATION ACT 1976
REPRESENTED BY ITS TRUSTEE,
SRI DHIRAJ SINGH,
AGED ABOUT 49 YEARS,
S/O SRI OMPAL SINGH THAKUR,
PAN NO.ADLPT8253E
MOB. NO.9035954349
EMAIL ID: ACCOUNTS@SITARAMJINDALFOUNDATION.ORG
... PETITIONER

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

(BY MS. JINITA CHATERJEE AND DIMPY KUMARI, ADVOCATES FOR
SRI. S PARTHASARATHI., ADVOCATE)

AND:

1. THE DEPUTY SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS,
FOREIGNERS DIVISION, (FCRA WING)
NATIONAL STADIUM, NEAR PRAGATI MAIDAN,
NEW DELHI - 110 001



2. THE ASSISTANT DIRECTOR (FCRA)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS,
FOREIGNERS-II DIVISION, (FCRA WING)
MONITORING UNIT, MDCNS,
NEAR INDIA GATE,
NEW DELHI - 110 001

... RESPONDENTS

(BY SRI. ARVIND KAMATH, ASG)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT OF CERTIORARI QUASHING THE ORDER DATED 23.05.2026 ISSUED BY THE 1ST RESPONDENT (ANNEXURE-Q) AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:
- Issue a Writ of Certiorari quashing the Order dated 23.05.2026 issued by the 1st Respondent (ANNEXURE-Q);*
 - Issue a Writ of Mandamus directing the 1st Respondent to grant renewal of Registration under Section 16 of the Act by accepting the submissions of the Petitioner in the letter dated 28.04.2026 (ANNEXURE-P);*
 - Issue a Writ of Prohibition restraining the 1st Respondent to proceed further in pursuance of the Order dated 23.05.2026 (ANNEXURE-Q);*
 - Issue any other writ, order or direction in favour of the Petitioner, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.*
2. The petitioner had obtained registration under the Foreign Contribution (Regulation) Act, 1976, on



07.05.1989. Subsequently, on the ground that the annual return for the year 2021-22 had not been filed, renewal of the registration was refused. Aggrieved thereby, the petitioner filed a Revision Petition under Section 32 of the Foreign Contribution (Regulation) Act, 2010. The said Revision Petition came to be partly allowed, subject to the petitioner compounding the offence. The order passed in the Revision Petition was challenged by the petitioner in W.P.No.39055 of 2025, which was disposed of by this Court on 23.01.2026, permitting the petitioner to submit a representation to the competent authority within four weeks from the date of the order, along with documents substantiating its case that it had not received any foreign contribution during the relevant period. This Court further observed that, if the petitioner availed itself of the said liberty by filing such representation along with the requisite documents, the proceedings pursuant to the impugned notice dated 10.11.2025 shall remain deferred until the representation is duly considered.

3. The petitioner submitted its representation on 17.02.2026. In response, the respondent, by communication dated 07.04.2026, raised certain queries and called upon the petitioner to submit its



reply within 14 days. Thereafter, on 20.04.2026, the petitioner addressed a communication to the respondent seeking an extension of 15 days to enable it to collate the necessary information, obtain appropriate legal advice, and submit a comprehensive reply.

4. Though there was no response received from the respondent accepting the request made by the petitioner, it appears that the petitioner assumed that such adjournment has been granted since it was not refused and as such, submitted its reply on 28.04.2026. Pursuant thereto, the impugned order dated 23.05.2026 at Annexure-Q has been passed.
5. The submission of Kum. Jinita Chatterjee, learned counsel for the petitioner, is that the representation dated 17.04.2026 and the explanation dated 28.04.2026 have not been considered while passing the impugned order dated 23.05.2026. It is further submitted that no opportunity of personal hearing was afforded to the petitioner, thereby rendering the impugned order violative of the principles of natural justice and liable to be quashed.
6. Sri.Aravind Kamath., learned ASGI instructed by Sri.Aditya Singh., would submit that there being violations which have been admitted by the



petitioner, there is nothing much to be considered by the respondent. On the basis of the said admitted violations, the penalty has been proposed and levied. If the petitioner were to make payment of the said penalty levied, the application for renewal would be processed and renewal would be granted. There is not much of an adjudication which is required to be done in respect of the representation and the explanation furnished by the petitioner after such an admission has been made.

7. Heard Kum.Jinita Chatterjee., learned counsel appearing for the petitioner and Sri.Aravind Kamath., learned ASGI appearing for respondent. Perused papers.
8. Having considered the submission of Sri.Arvind Kamath., learned ASGI, what is seen is in the explanation submitted on 28.04.2026 there are various submissions which have been made by the petitioners. The direction issued by this Court was for the petitioner to submit a representation, which was to be duly considered and necessary orders passed by the respondent.
9. Needless to say, whenever any penalty orders or the like are passed, it would be but required that those orders are accompanied by reasons which could



stand the test of an appeal or a challenge made thereto. Though, Sri.Arvind Kamath., learned ASGI submits that the representation and explanation of the petition have been considered in the order dated 23.05.2026, *ex-facie* the order does not reflect such consideration and the reasons why the representation and/or the explanation has been rejected when there are several contentions which have been raised by the petitioner.

10. Insofar as submission of the learned counsel for the petitioner that a personal hearing has not been offered though requested by the petitioner. A perusal of the order passed in WP No.39055 of 2025 does not require any personal hearing to be offered to the petitioner and as such the petitioner who has been granted indulgence by the coordinate Bench of this Court cannot expand the scope of the said order seeking for personal hearing. What is required is for the representation and explanation to be considered by respondents and necessary orders to be passed.
11. In that view of the matter, this Court is of the considered opinion that the impugned order cannot be said to be in compliance with the order passed by this Court in WP No.39055 of 2025 and as such this Court passes the following;



ORDER

- i. The writ petition is ***allowed***.
- ii. A certiorari is issued, order dated 23.05.2026 issued by Respondent No.1 at Annexure-Q is quashed.
- iii. Respondent is directed to consider the representations of the petitioner dated 17.02.2006 and the explanation dated 28.04.2026 and pass a reasoned order as expeditiously as possible.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

SR
List No.: 1 Sl No.: 11