



CNR: KAHC010524142026

NC: 2026:KHC:46358
WP No. 23744 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO.23744 OF 2026 (GM-RES)

BETWEEN:

CARE HOME
CLARET NILAYAM 786/A,
5TH CROSS, 7TH MAIN,
MAHALAKSHMI LAYOUT,
BANGALORE,
KARNATAKA, INDIA - 560 086.
REPRESENTED BY BIJOY GEORGE
(SECRETARY CARE HOME)
AGED 42, S/O GEORGE MICHAEL
INCORPORATED UNDER-KARNATAKA SOCIETIES
REGISTRATION ACT, 1960.

...PETITIONER

(BY SRI. HRISHIKESH V., ADVOCATE)

AND:

1. THE UNION MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA (MHA, GOI)
MINISTRY OF HOME AFFAIRS,
KARTAVYA BHAVAN - 1,
NEW DELHI - 110 001,
REPRESENTED BY ITS SECRETARY.
2. FCRA WING UNION MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA
1ST FLOOR,

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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MAJOR DHYAN CHAND NATIONAL STADIUM,
INDIA GATE, NEW DELHI - 110 002
REPRESENTED BY ITS SECRETARY

3. JOINT DIRECTOR,
FCRA WING UNION MINISTRY OF
HOME AFFAIRS GOVERNMENT OF INDIA,
1ST FLOOR,
MAJOR DHYAN CHAND NATIONAL STADIUM,
INDIA GATE, NEW DELHI - 110 002
REPRESENTED BY ITS JOINT DIRECTOR

...RESPONDENTS

(BY SRI. MAHESH ARKALGUD SRIKANTH, ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO A. ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION QUASHING AND SETTING ASIDE THE IMPUGNED ORDER DATED 10.03.2025 PASSED BY RESPONDENT NO.3 (ANNEXURE A) AS VOID, PASSED IN DENIAL OF NATURAL JUSTICE, BEING ARBITRARY, IRRATIONAL, PERVERSE, VITIATED BY NON-CONSIDERATION OF RELEVANT MATERIAL, IN VIOLATION OF THE PRINCIPLES OF NATURAL JUSTICE, FOUNDED UPON A MISAPPLICATION OF SECTION 12(4)(A)(I) OF THE FOREIGN CONTRIBUTION (REGULATION) ACT, 2010, ULTRA VIRES THE SECOND PROVISIO TO SECTION 16 OF THE SAID ACT AND VIOLATIVE OF ARTICLES 14 AND 19(1)(G) OF THE CONSTITUTION OF INDIA AND ETC.

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



CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Sri. Mahesh Arkalgud Srikanth, learned counsel, accepts notice for respondent Nos.1 to 3, as he had filed his vakalatnama prior to issuance of notice.
2. The petitioner is before this Court seeking for the following reliefs:

- "A. *Issue a Writ of Certiorari or any other appropriate writ, order or direction quashing and setting aside the impugned order dated 10.03.2025 passed by Respondent No.3 (Annexure A) as void, passed in denial of natural justice, being arbitrary, irrational, perverse, vitiated by non-consideration of relevant material, in violation of the principles of natural justice, founded upon a misapplication of Section 12(4)(a)(i) of the Foreign Contribution (Regulation) Act, 2010, ultra vires the second proviso to Section 16 of the said Act and violative of Articles 14 and 19(1)(g) of the Constitution of India,*
- B. *Issue a Writ of Mandamus or any other appropriate writ, order or direction directing the Respondents to reconsider the Petitioner's renewal application dated 07.05.2021 on merits after affording a full and fair opportunity of hearing and disclosing all adverse material within a time frame fixed by this Hon'ble Court,*



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- C. *Declare that, in the facts and circumstances of the present case, the inadvertent clerical entry of an incorrect name in the application form, when the affidavit enclosed with the same application consistently and unambiguously identified Jaison George as the correct office bearer, could not have been treated, lawfully, as concealment of a fictitious trustee under Section 12(4)(a) (i) of the Foreign Contribution (Regulation) Act, 2010.*
- D. *Award costs of this petition to the Petitioner,*
- E. *Pass such other and further orders as this Hon'ble Court may deem fit and just in the interests of justice and equity."*

3. The main ground on which the petitioner is based is that there is a violation of the principle of natural justice in that regard. The learned counsel for the petitioner relies on the last sentence in paragraph No.6 of the impugned order at Annexure-A, which reads as under:

"And whereas the association has in its revision application made a ground that opportunity of reasonable hearing was not provided. In this regard, it is to mention that the FCRA registration of association was renewed for five years on 07-08-2016. The instant application is for renewal of FCRA Registration Certificate for further 5 year period. Since, the renewal application was pending with this Ministry, the existing registration certificate was extended till 20.03.2024 i.e. till the date of disposal of the renewal application. Thus, it is clear



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that association's existing 5 year validity has not been curtailed or affected by the impugned refusal order dated 20.03.2024. The impugned refusal order has only denied the FCRA Certificate for further 5 year period without affecting existing registration. As the permission already granted was not at all affected or revoked, the question of giving reasonable opportunity of hearing is not applicable in the instant case."

4. On enquiry with the learned counsel for respondents as to whether a hearing had been provided to the petitioner, the learned counsel submits that the grounds raised in the revision petition have been considered along with the documents which have been filed, which, in my considered opinion, would not comply with the requirements of the principle of natural justice.
5. A revision petition has been filed, an adjudicatory order having been passed by a quasi-judicial authority, it is but required that before such an order is passed, the affected party is heard and the principles of audi alteram partem are complied with.



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The same not having been complied with, this Court passes the following:

ORDER

- i. The writ petition is ***allowed***.
- ii. The order dated 10.03.2025 passed by respondent No.3 at Annexure-A is set aside.
- iii. The matter is remitted to respondent No.3 for fresh consideration.
- iv. The petitioner shall appear before respondent No.3 without requirement of any notice on 10.09.2023 at 02.30 p.m.
- v. Respondent No.3 shall provide an opportunity of hearing to the petitioner.
- vi. Petitioner is also permitted liberty to file his written submissions in the said matter, which



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could be considered by respondent No.3 and
orders passed in accordance with law.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

TMP
List No.: 1 Sl No.: 4