



CNR: KAHC010651762026

NC: 2026:KHC:52857
WP No. 29876 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 29876 OF 2026 (GM-PASS)

BETWEEN:

1. MR FELIX MPKANG BOLO
S/O MR. MKPANG EYO BOLO
AGED ABOUT 21 YEARS
R/A SAI PG GENTS AND LADIES
NO.107, ITPL BACK GATE
PATTANDUR ARAGHARA MAIN ROAD
WHITEFIELD BANGALORE
KARNATAKA 56066

...PETITIONER

(BY SRI. IGWE REMIGIUS CHIBUEZE.,ADVOCATE)

AND:

1. UNION OF INDIA
THROUGH THE SECRETARY
MINISTRY OF HOME AFFAIRS
NORTH BLOCK,
NEW DELHI 110001.
2. THE BUREAU OF IMMIGRATION
THROUGH THE FOREIGNERS REGIONAL
REGISTRATION OFFICER (FRRO)
CUM CIVIL AUTHORITY
5TH FLOOR, A BLOCK,
TTMC BMTC BUS
STAND BUILDING KH ROAD,
SHANTINAGAR
BENGALURU 560027.





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3. THE POLICE INSPECTOR
WHITEFIELD POLICE STATION
BENGALURU 560066.

...RESPONDENT

(BY SRI. ARAVIND KAMATH, ASG A/W
SRI. VINAY V., CENTRAL GOVERNMENT SENIOR PANEL
COUNSEL FOR R1 & R2)

THIS W.P. IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF
CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR
DIRECTION QUASHING THE LEAVE INDIA ORDER DATED
09.09.2026 BEARING FILE REF. NO. 626KA02319, ISSUED BY
RESPONDENT NO.2 AS PER ANNEXURE-A AND ETC.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present petition is filed seeking for the following
reliefs:

- "a) Issue a writ of Certiorari or any other appropriate writ, order or direction quashing the Leave India Order dated 09.09.2026 bearing File Ref. No. 626KA02319, issued by Respondent No.2 as per Annexure-'A'*
- b) Declare that the impugned Leave India Order is*

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MONNAPPA POONACHA



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arbitrary, unreasonable, disproportionate and violative of Articles 14 and 21 of the Constitution of India;

c) Issue a writ of Mandamus directing the Respondents to consider and dispose of the Petitioner's pending application for extension/renewal of visa bearing Application Id 11082631H812, dated 20.08.2026, in accordance with law; (ANNEX F)

d) Direct the Respondents, before taking any fresh adverse decision against the Petitioner on the basis of any alleged blacklisting/adverse security input, to communicate to the Petitioner the substance of the allegations/material relied upon, to the extent permissible in law, and afford him a reasonable opportunity to submit his representation;

e) Grant such other reliefs as this Hon'ble Court may deem fit in the circumstances of the case, in the interests of justice and equity."

2. It is the case of the petitioner that he is a Nigerian citizen and an international student pursuing his final year studies in Bachelor of Science in Anesthesia Technology¹ at the Jain (Deemed to be University), Bangalore². That the petitioner entered the country on a student Visa, which was extended from time to time. The petitioner is stated to have pursued 6 semesters of his Academic Course (3 years). The current extension of the Visa of the petitioner was valid from

¹ Hereinafter referred to as 'Academic Course'

² Hereinafter referred to as 'University'



30.08.2025 to 31.08.2026 (Annexure- B to the writ petition). The petitioner is stated to have made an application for extension of Visa before the competent authority on 20.08.2026 (Annexure- F to the writ petition) for the purpose of completing the remaining two semesters (4th year) of his Academic Course. When matters stood thus, it is the case of the petitioner that he was served with 'LEAVE INDIA ORDER' dated 09.09.2026³ (Annexure-A to the writ petition). Being aggrieved, the present writ petition is filed.

3. It is the case of the petitioner that no reasons have been mentioned in the impugned order dated 09.09.2026 and that the petitioner is entitled to be afforded a reasonable opportunity of hearing. In support of the said contention learned counsel for the petitioner relies upon the judgment of the Supreme Court in the case of ***Sabitri Dey @ Swasthi Dey & Ors., v. Union of India***⁴.

4. Learned Additional Solicitor General and as well as learned Central Government Standing Counsel justifying the

³ Hereinafter referred to as the 'impugned order'

⁴ 2026 LiveLaw (SC) 672



decision of the concerned authority submits that while the petitioner was pursuing his Academic Course, the University has issued a Rustication Order terminating the enrolment of the petitioner. The concerned authorities have also received a communication from the University dated 06.08.2026, whereunder the University intimated the Foreigners Regional Registration Office⁵, Bureau of Immigration, Ministry of Home Affairs, Government of India, of the termination of the enrolment of the foreign national students including the petitioner. It is submitted that due to various complaints made against the petitioner, the University had conducted an inquiry and subsequent to the same, the Rustication Order was passed, which was intimated to the concerned authorities. Reliance is placed by the respondents on Co-ordinate Bench judgments of this Court in the case of ***Christopher Charles Kamolins v. Union of India***⁶, as well as ***Stephen Richard Farrell UK National v. The Union of India***⁷.

⁵ Hereinafter referred to as 'FRRO'

⁶ WP.No.26412/2019 - order dated 09.02.2026

⁷ WP.No.20087/2026 - order dated 08.07.2026



5. It is also submitted on behalf of the respondents as mentioned in the impugned order dated 09.09.2026, it was open to the petitioner to submit any grievance for consideration and till date no representation has been received on behalf of the petitioner.

6. Although, various contentions have been put forth, by both the parties, it is clear from the admitted fact situation that the Visa of the petitioner had expired on 31.08.2026. The justification or otherwise of the reasons set out in the impugned order dated 09.09.2026 need not be adjudicated upon, in view of the fact that as on date of the impugned order dated 09.09.2026, the Visa of the petitioner had expired.

7. Although, it is the vehement contention of the learned counsel for the petitioner that the petitioner had made an application for extension of his Visa on 20.08.2026 itself, admittedly, no extension has been granted before the Visa expired on 31.08.2026. There is no vested right for the petitioner to seek for extension of Visa. Grant of Visa is the discretion of the Sovereign Authority. In any event, non-



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extension of Visa is not the subject matter of the present writ petition.

8. In view of the aforementioned, the writ petition is dismissed as being devoid of merit.

9. Pending IAs., if any, stand disposed of.

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(C.M. POONACHA)
JUDGE

ND
List No.: 1 Sl No.: 48