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

+ **W.P.(C) 3824/2016 & C.M.No.16259/2016**

MOHD. MUDASER AHMADI

..... Petitioner

Through **Mr.Sudhir Kumar Ojha, Advocate.**

versus

THE DEPARTMENT OF FOREIGN & ANR

..... Respondents

Through **Mr.Arun Bhardwaj, CGSC with
Mr.Gaurav Rohilla, Advocates for R-
1 & 2.**

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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04.05.2016

Present writ petition has been filed seeking a direction to the respondents to extend the medical visa of the petitioner's second wife and also for grant of a spouse visa to her.

It is stated that petitioner during the subsistence of his first marriage converted to Islam and married for the second time in Delhi. Petitioner's wife is alleged to have travelled to India on a medical visa from Kabul as she was undergoing medical treatment at the hands of the petitioner. The petitioner has a daughter from his second wife.

It is the petitioner's case that the petitioner has applied for a visa for his wife vide applications dated 8th July, 2014 and 11th January, 2015 (at pages 14 and 15 of the paper book), but the same have not been disposed of till date.

Though it is a settled position of law that second marriage after conversion to Islam is illegal and no rights will flow from such a marriage, yet this Court is of the opinion that as the petitioner's

applications dated 8th July, 2014 and 11th January, 2015 have not been disposed of till date, the respondent no.1 should dispose of the same. Consequently, respondent no.1 is directed to dispose of the said applications in accordance with the law within a period of four weeks.

With the aforesaid direction, the present writ petition and the application are disposed of.

MANMOHAN, J

MAY 04, 2016

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