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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5796/2016

MEDHA SHARMA

..... Petitioner

Through Mr Gurmeet Bindra, Advocate.

versus

MINISTRY OF HOME AFFAIRS, GOI

..... Respondent

Through Mr A.K. Gautam, Advocate with SI
Ved Prakash, FRRO, RK Puram.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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12.07.2016

CM No.23928/2016 (exemption)

Exemption is allowed subject to all just exceptions.

W.P.(C) 5796/2016 & CM No.23927/2016 (stay)

The petitioner has filed the present petition seeking a direction to the respondent for removal of travel restrictions, if any, against the petitioner. The petitioner presently holds passport bearing No. N-7213687. It is contended that on account of a matrimonial dispute between the parents of the petitioner, an order was passed by the Guardianship Judge imposing such a restriction. Consequent upon the order, the respondent had not permitted the petitioner to travel in May 2013, when she was off loaded on account of the said order.

It is contended that the restraint order was passed as far back as on 01.09.2003. The petitioner, after she was off loaded in May 2013, applied for vacation of the said order. However, by order dated

08.07.2013, the said application was dismissed as the petition had already been disposed of and no proceedings were pending.

The petitioner contends that the petitioner today is about 19 years of age and, in any case, such a restrictions imposed by order dated 01.09.2003, could not continue.

Learned counsel for the respondent submits that on the application filed by the petitioner, the respondent, on 03.05.2016, has already decided to delete the LOC issued against the petitioner, inter alia, on the ground that the petitioner has become a major and the custody petition has since become infructuous. Learned counsel for the respondent further submits that on 05.05.2016, the LOC has been cancelled and directions have been issued to the immigration authorities as also to the Foreigner Regional Registration Office (FRRO).

In view of the above, the writ petition is allowed by recording that the travel restrictions imposed on the petitioner stand deleted. The respondents are directed to issue a formal communication to the petitioner confirming the fact that the travel restrictions, imposed by the order dated 01.09.2003, have been removed. Such communication be forwarded to the petitioner within one week from today.

Dasti under the signatures of the Court Master.

SANJEEV SACHDEVA, J

JULY 12, 2016/st