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

+ W.P.(C) 5984/2017

MOHD EDRESS SHAFQA

..... Petitioner

Through: Mr Santosh Kumar Suman, Advocate.

versus

UNION OF INDIA AND ANR

..... Respondents

Through: Mr Vipra Bhardwaj, Advocate for R-1 & 2 alongwith Mr Ashwani Kumar Sharma, A.A.I.O.-1, FRRO Office.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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18.07.2017

CM No.24871/2017

1. Allowed, subject to all just exceptions.

W.P.(C) 5984/2017

2. The petitioner, who is a citizen of Afghanistan - has filed the present petition, *inter alia*, praying that respondents be directed to permit the petitioner to exit the country. It is the petitioner's case that he had come to India on a valid visa; however that Visa has expired and the petitioner has overstayed in this country. The petitioner is thus, illegal alien in this country.

3. Clearly, the petitioner's visa has been expired and he cannot be permitted to stay in this country indefinitely. In the circumstances, the respondents are required to take necessary action in accordance with law.

4. The learned counsel for the respondents states, on instructions, that an

application for exiting from India is required to be made online and the petitioner would be required to pay the penalty for the same.

5. In the circumstances, the petitioner is directed to do so within a period of one week from today. The petitioner shall also pay the requisite fee. On such application being made, the respondent will examine the same and decide the same in accordance with law.

6. No further orders are required to be passed in this petition. The same is disposed of.

7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

JULY 18, 2017

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