

## WRIT PETITION NO.13067 OF 2018

Mr.Bhavin Jain i/b Mr.Ganesh K. Gole for the Petitioner.  
Mr.Mohamedali M. Chunawala for Respondent No.1.  
Ms.Kavita Salunke AGP for Respondent No.2.  
Mr.Praful R. Waga, Police Inspector, SB-1, CID, Mumbai

**DATE : 12TH JUNE, 2019.**

- 1] Heard.
- 2] Rule. Rule made returnable forthwith. With consent of the parties, the petition is taken up for final disposal at the stage of admission.
- 3] The petitioner is lawfully married to one Rabiya Altaf Hussain, Pakistani National. The marriage was solemnised on 27th March, 2017 at Karachi, Pakistan as per Muslim rituals. The wife of the petitioner tendered an application for issuance of Visitor visa on 16th May, 2017 and 29th May, 2018 respectively to the Indian High Commission, Islamabad, Pakistan. The petitioner contends that the application has not been considered by the respondents and decision has not been communicated to wife of the petitioner.
- 4] On perusal of the communication dated 18th April, 2019 transmitted by the Under Secretary to the Government of

India to the Foreigners Regional Registration officer, Mumbai, it appears that the application was technically rejected by the Government of Maharashtra due to incomplete address of referee and consequently, the Ministry had also rejected her PRC application. The referee is the petitioner himself. In view of directions issued by this Court on 23rd April, 2019 the respondent – State of Maharashtra was directed to conduct re-verification of the address of the petitioner expeditiously and to forward report to the concerned department of the Union of India. In observance of the directions issued by this Court, the police department has conducted re-verification of the address of the referee and has tendered report to the Ministry of Home Affairs informing that the address of the referee recorded by the applicant is correct and as such, it shall have to be deemed that the application is complete and deserves to be considered in view of report tendered by the State of Maharashtra. In the light of report of verification of address of the referee, the application tendered by the wife of the petitioner for visitor's visa need to be considered by the Ministry of Home Affairs. In the circumstances, we direct Respondent No.1 to consider the application and take appropriate decision in accordance with law expeditiously.

5] Rule is made absolute in the aforesaid terms. There shall be no order as to costs.

**(N. J. JAMADAR, J.)**

**(R. M. BORDE, J.)**