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

+ W.P.(C) 1835/2019 & CM No.8572-8573/2019

MOHD JAVED AND ANR.

..... Petitioners

Through: Mohd. Sajid with Mr Bilal Anwar
Khan, Advocates.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Ms Maninder Acharya, ASG with Mr
Anurag Ahluwalia, CGSC, Mr Sahil
Sood, Mr Harshul Choudhary and Mr
Viplav Acharya, Advocates for UOI
with Mr Manoj Kumar Jha, Deputy
Secretary.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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28.02.2019

1. The petitioners have filed the present petition, *inter alia*, impugning 'Leave India Notice' dated 07.02.2019 issued to petitioner no.2. It is stated that petitioner no.2 is a citizen of Pakistan and has been residing in India on the basis of a long-term visa issued to her in the year 2015. The petitioners are married and it is stated that they have two children, aged about 11 years and 6 years, out of their wedlock. Both the children are studying in schools in Delhi. It is also not disputed that petitioner no.1 is an Indian citizen.
2. Ms Acharya, learned ASG appearing for the respondents states that the impugned notice had been passed based on certain inputs, which were considered by the concerned authorities.

3. This Court is unable to accept that petitioner no.2 has any right to reside in India, since the matter of granting visa is at the discretion of the Government of India. This Court has also perused inputs available with the respondents and is unable to accept that the impugned order is wholly arbitrary or without any basis. As noticed above, petitioner no.2 is unable to establish any right to reside in India. In this view, this Court is unable to grant the relief as sought for.
4. In terms of the impugned order, petitioner no.2 ought to have left this country by 22.02.2019. Considering the pendency of the said petition, the said period is further enhanced by a period of two weeks from today.
5. The petition is dismissed in the aforesaid terms. All pending applications are disposed of.
6. Order *dasti* under signatures of the Court Master.

FEBRUARY 28, 2019
MK

VIBHU BAKHRU, J