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

+ **W.P.(C) 2038/2019**

HUSSEIN SATTAR FARHOOD

..... Petitioner

Through Mr H.S. Thukral, Mr Karan Singh
Thukral, Mr Natasha Vij, Mr Kahil Kumar,
Mr Ishan Thakur, Mr Pragya Bindra Ms Veena
Mathai, Advocates.

versus

UNION OF INDIA

..... Respondent

Through Mr Ashim Sood, CGSC with Mr
Rhythm B, Mr Tarun Krishna Kumar,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **27.02.2019**

CM No.9531/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 2038/2019

3. The petitioner is an Iraqi national and has filed the present petition, *inter alia*, praying that the respondents be directed to remove the petitioner's name from the blacklist category.
4. The petitioner is a student and had sought a visa to undertake a course in Pharmacy. In the year 2011, the petitioner was granted admission to Acharya & B.M. Reddy College of Pharmacy for studying the degree course namely, Bachelor of Pharmaceuticals. The term of the

said course was four years and it is stated that the petitioner has completed three years. It is the petitioner's case that he could not pay the fee for the fourth year and, therefore, could not secure the necessary documents for seeking extension of his visa.

5. It is not disputed that he had overstayed in India from November, 2015 to November, 2016. It is stated that in November, 2016 he had arranged the requisite college fee from his family and had applied for the necessary certificate to seek extension of his visa. The petitioner has also paid the penalty amount of USD 200 for his overstay in India and an exit permit was issued to him to travel back to Iraq.

6. The petitioner is, essentially, aggrieved as he is now unable to come to India to complete his course, since a visa has been denied to him as his name appears in the blacklist category. It is also stated that his mother and brother-in-law have visited India and have tendered an apology to the concerned authorities.

7. Considering that the petitioner has acknowledged his error, has completed a substantial part of his course, and has tendered an unconditional apology, this Court considers it apposite to permit the petitioner to make a representation to the concerned authorities for removal of his name from the blacklist. Needless to state that the concerned authorities shall consider the same and take an informed decision keeping in view the facts of the case.

8. The petition is disposed of.

VIBHU BAKHRU, J

FEBRUARY 27, 2019/pkv