

\$~52

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

+ **W.P.(C) 2640/2019 and CM APPL. 12235-12236/2019**

AHMAD BASEEM FROOGH

..... Petitioner

Through: Mr Zeeshan Khan, Mr Varun
Agrawal and Mr Kaleem Akhtar,
Advocates.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr Vikas Mahajan, CGSC with Mr
Aakash Meena, GP and Mr Aakash
Varma, Advocate for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

15.03.2019

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“• issue a writ of mandamus or any other appropriate writ of a like nature, order, directing the respondent No. 2 to extend the visa of the petitioner till the completion of the fellowship/observership i.e. 01.01.2020; and/or”

2. The learned counsel appearing for the petitioner submits that the petitioner has overstayed the term of his visa by over three months.

3. The petitioner is a national of Afghanistan and had arrived in India on a tourist visa (T-1 visa no. VK 7527810), which was valid from 14.12.2017 to 13.12.2018. The said visa was converted to a student visa (S-4 visa no. VK 9018567), which was valid from 24.06.2018 to 23.12.2018. The petitioner is desirous of undergoing observership / fellowship in cardiac anaesthesia, Department at Indraprastha Apollo Hospitals. It is pointed out

that this is not an accredited fellowship program and, therefore, the petitioner cannot apply for student visa. This Court finds no infirmity the decision of the respondents in this regard.

4. The petition is, accordingly, dismissed. All pending applications are disposed of.

5. It would be open for the petitioner to approach the Indian Embassy in Afghanistan for an appropriate visa. Needless to state that the same would be considered by the respondents in accordance with its policy.

VIBHU BAKHRU, J

MARCH 15, 2019
RK