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

+ W.P.(C) 7813/2019

MAHVISH FAROOQ

..... Petitioner

Through: Mr Subhasish Mohanty and Mr
Naveen Kumar, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr Vikas Mahajan, CGSC with Mr
Amit Dogra, GP and Mr Aakash
Varma, Advocate for UOI/R-1.
Ms Madhu Sudan Bhoyana, Advocate
for R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **22.07.2019**

1. Issue notice. The learned counsel appearing for the respondents accepts notice.
2. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondents to consider the petitioner's application for being registered as a citizen of India and for being granted Indian Citizenship in accordance with law.
3. It is stated that the petitioner's mother (Smt Yasmin Farooq, D/o Jamiluddin, R/o 3834, Gali Masjid Shahqul, Qureshi Nagar, Sadar Bazar, Delhi-110006) was a citizen of India. She married a Pakistani National on 28.02.1986 and, thereafter, proceeded to Pakistan. She was thereafter issued a Pakistani passport.
4. The petitioner was born on 03.08.1988 in Lahore, Pakistan. It is stated that the petitioner's mother had certain matrimonial issues with her

husband (the petitioner's father) and she, along with the petitioner, moved to India on 02.02.1989. The petitioner was only six months old at the material time. It is stated that the petitioner has been residing in India since then. The petitioner claims that the marriage of her parents was dissolved on 31.08.1991.

5. Since the petitioner's mother is also a permanent resident of India; she was registered as an Indian citizen on 21.07.1997. The petitioner has completed her education from India and on 18.12.2017, the petitioner married an Indian National.

6. The petitioner was born in Pakistan and at the time of her birth, the petitioner had acquired the citizenship of Pakistan. Therefore, the petitioner applied for being registered as an Indian citizen under section 5 of the Citizenship Act, 1955.

7. Mr Mahajan, learned counsel appearing for the respondents, states that the petitioner's application for citizenship by registration would be considered in accordance with law.

8. In view of the above, the respondents are directed to process the petitioner's application in accordance with law. Considering that the petitioner has been residing in India since she was six months old, the visa granted to the petitioner for staying in India shall be extended till such time her application is finally decided.

9. The petition is disposed of with the aforesaid directions.

VIBHU BAKHRU, J

JULY 22, 2019
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