

\$~A-4

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3222/2020**

SUHAIL SHAIK Petitioner
Through: Mr. M.A. Khan, Advocate

versus

CENTRAL GOVERNMENT OF INDIA & ORS. Respondents
Through: Mr. Kirtiman Singh & Mr. Rohan
Anand, Advocates

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
% **21.05.2020**

CM 11214/2020

Exemptions allowed, subject to all just exceptions.

Applications stand disposed of.

W.P.(C) 3222/2020 & CM 11213/2020

Hearing has been conducted through Video Conferencing.

Issue notice.

Mr. Kirtiman Singh, learned Central Government Standing Counsel enters appearance and accepts notice on behalf of all the Respondents. He submits that the petition is premature as only a Show Cause Notice has been issued to the Petitioner and final decision is yet to be taken.

Present petition has been filed assailing Show Cause Notice dated 04.05.2020 issued by Respondent No. 3 calling upon the petitioner to show cause why his Overseas Citizen of India (OCI) Card should not be cancelled under Section 7D(e) of Citizenship Act, 1955.

Perusal of the Show Cause Notice, which is annexed with the Petition, shows that by the Notice dated 04.05.2020, Petitioner was given a period of 15 days from the date of receipt of Notice to show cause why action should not be taken against him, under Citizenship Act, 1955.

Mr. M.A. Khan, learned Counsel for Petitioner submits, on instructions, that Notice was received by the Petitioner only on 09.05.2020. He submits that on account of the adverse conditions due to Pandemic COVID 19, Petitioner has not been able to file reply to the Show Cause Notice till date. Mr. Khan, however, submits that he will be filing a reply to the Show Cause Notice, within the time stipulated in the Show Cause Notice.

It is settled law that Courts should not interfere at the stage of show cause notice, unless there are extraordinary circumstances to do so. The petition is thus premature.

In view of the above, this Court is not inclined to interfere at this stage. Needless to state that, if reply is filed by the Petitioner, Respondents would consider it and pass a reasoned order. In case the order passed by the Respondents is against the Petitioner, the same will be kept in abeyance for a period of 15 days, from the date of passing of the order, to enable the Petitioner to take recourse to the legal remedies available to him.

Petition along with the accompanying Application is disposed of in the aforesaid terms.

JYOTI SINGH, J

MAY 21, 2020/rd