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20.03.2023.
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W.P.A. No. 11848 of 2021

Mrs. Hu Miao & Anr.
Vs.
Union of India & Ors.

Mr. Kanishk Sinha
...petitioner no. 2 in person

Mr. Rajendra Banerjee
...for the respondent-authorities

The grievance of the petitioners is that the petitioner no.1's application for issuance of visa to stay in India, as per direction of the Supreme Court, is being kept pending by the respondent-authorities inordinately.

Upon hearing learned counsel for the parties, it transpires that vide order dated December 16, 2022, passed in Writ Petition (Criminal) No. 340 of 2022, the Supreme Court observed that the petitioner no. 1 would be entitled to apply for grant of a valid visa permitting her to stay in India and if any such application was filed, the same would be considered in accordance with law without reference to the criminal case, which was filed and pending on the ground that she does not have a valid visa and has over-stayed in India.

However, it transpires that the application made by the petitioner no. 1 has been kept pending by the respondent-authorities.

In such view of the matter, W.P.A. No. 11848 of 2021 is disposed of by directing the respondent-

authorities to consider and process the petitioner no. 1's application for grant of a valid visa, as annexed to the present writ petition at pages 36 to 41, as expeditiously as possible and intimate the outcome of such processing to the petitioner no. 1 immediately thereafter.

The entire process should be completed in accordance with law by the respondent-authorities within four weeks from date.

However, it is made clear that the merits of the writ petition have not been gone into by this Court in any manner whatsoever.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)