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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 489 OF 2023

IVAN MIGUEL, PRESENTLY
LODGED IN MODERN CENTRAL
JAIL, COLVALE ... PETITIONER
VS
THE UNION OF INDIA, THR. THE
JOINT SECRETARY (C.S.) AND ANR ... RESPONDENT

Mr Salil S. Saudagar, Advocate for the Petitioner.

Mr Pravin Faldessai, Deputy Solicitor General of India for
Respondent No. 1.

Mr Somnath Karpe, Additional Public Prosecutor for
Respondent No. 2.

**CORAM: M. S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATED: 25th SEPTEMBER 2023

P.C.:

1. Heard Mr Saudagar for the Petitioner, Mr Faldessai, the learned Deputy Solicitor General of India for Respondent No. 1 and Mr Karpe, the learned Additional Public Prosecutor for the State.

2. The Petitioner seeks the following reliefs by preferring this Petition:-

- “A) For a writ of mandamus or a writ in the nature of mandamus or any other writ order or direction calling upon the Respondent No. 1 to expedite and decide the Application for repatriation filed by the Petitioner within a stipulated time.*
- B) For a writ of mandamus or a writ in the nature of mandamus or any other writ order or direction calling upon the Respondent No. 1 to file a status report as regards the Application for repatriation filed by the Petitioner within a stipulated time.”*

3. Mr Faldessai, the learned Deputy Solicitor General of India, on instructions, states that the Petitioner's Application which was received in Modern Central Jail at Colvale under the Inward No. 112 dated 06.01.2022 has not only reached the appropriate Authority under Respondent No. 1, but further, the appropriate Authority has already written for seeking comments from the Portuguese Government in that regard. Further, on instructions, he states that even a reminder is proposed to be sent to the Portuguese Government in the course of this week.

4. Accordingly, we direct the appropriate Authority under Respondent No. 1 to expedite the process and decide the Petitioner's Application one way or the other, preferably within three months from today. Any decision that the appropriate Authority might take on the Petitioner's Application should be communicated to the Petitioner through the Superintendent of Modern Central Jail, Colvale, preferably within three months from today.

5. With the above directions, the reliefs sought for by the Petitioner in the present Petition stand substantially worked out.

6. Accordingly, the Petition is disposed of with the above directions.

7. All concerned to act on an authenticated copy of this Order.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

VAIGANKAR
ESHA SAINATH

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