

September 9, 2024
Sl. No.4
Court No.9
s.biswas

WPA 19224 of 2024

Sheik Samsu Alam and others
vs.
The Union of India and another

Mr. Aniruddha Chatterjee
Mr. Srijib Chakraborty
Mr. Syed Nurul Arefin
Mr. Rahul Singh

... for the petitioner

Mr. Kumar Jyoti Tewari
Mr. Sujit Bhunia

... for the Union of India

1. The petitioners claim to be Indian citizens and complain of unnecessary harassment which they faced during immigration. The immigration authorities at Chennai, Mumbai and Calcutta airports had allegedly interrogated the petitioners for hours. The petitioner nos.1 and 2 are gold merchants. The petitioners contend that apart from routine questions with regard to the travel plans etc., continuous interrogation for hours together, were beyond the jurisdiction of the immigration authority. Unless the authorities had specific proof of commission of offence by the petitioners, they could not detain the petitioners.
2. Mr. Tewari, learned advocate for the Bureau of Immigration submits that routine questions were put, when the petitioners were travelling to and from various countries. The authorities have the right to ask questions, if they suspect that gold was being transferred from India or being brought

into the country. Nobody had been detained. No order has been passed against such persons. Their travels had not been restricted.

3. The writ petition is disposed of with a direction upon the Director of the Bureau of Immigration, to dispose of the representation of the petitioner dated September 12, 2023, within a period of two months, by passing a reasoned order.
4. The writ petition is accordingly disposed of.
5. All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)