

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 4854 OF 2024

Atul Lalit Godbole & Anr

...Petitioners

Versus

Union of India

...Respondent

Ms. Tulsi Shah, for the Petitioners.

Mr. S.K. Halwasia, a/w Keshav Thakur, for Respondent-UoI.

Mr. Atul Lalit Godbole, Petitioner No.1 present in Court.

CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.

DATE : DECEMBER 17, 2024

PC :

1. The above Writ Petition was disposed of by our order dated 22nd October, 2024. It was kept for reporting compliance on 5th December, 2024, and has been kept once again today for reporting compliance.

2. The Writ Petition was originally filed seeking a direction to the Respondent to register Petitioner No.2 (CONG NA a Chinese national) as an Overseas Citizen of India (“OCI”) under Section 7A of the Citizenship Act, 1955. In the alternative, it was prayed that this Court direct the Respondent to decide the Petitioner’s Application for

registration of Petitioner No.2 as an OCI within two weeks or within such period as this Court deems fit.

3. We had recorded in our order (dated 22nd October, 2024) that the Petitioners did not press the above Petition in terms of prayer clause (a) but only pressed into service prayer clause (b). Since this was the limited relief pressed before us, we disposed of the Writ Petition by directing the Competent Authority of the Respondent to decide the Application of Petitioner No.2 bearing Web File No. CHNB00055N18 as expeditiously as possible and in any event within a period of six weeks from 22nd October, 2024.

4. Today when the matter is called out, Mr. Halwasia, the learned Advocate appearing on behalf of the Respondent, on instructions, stated that the Application of Petitioner No.2 bearing Web File No. CHNB00055N18 is decided and the Competent Authority has passed an order giving its approval for Petitioner No.2 being registered as an OCI. He submitted that since Petitioner No.2 is in Beijing (China) she will have to approach the Indian Embassy in Beijing and submit the relevant documents before the actual OCI is issued to her.

5. Considering the aforesaid statement, we direct that Petitioner No.2 shall present herself to the Indian Embassy in Beijing on 19th

December, 2024 along with a copy of this order. On that date, the Indian Embassy shall inform Petitioner No.2 as to what other documents are required from Petitioner No.2 or her husband so as to take this process forward. Once Petitioner No.2 is intimated of the relevant documents, the same shall be submitted by Petitioner No.2 to the Indian Embassy in Beijing within a period of two weeks thereafter. Once the documents are submitted, the Indian Embassy in Beijing is requested to issue the OCI to Petitioner No.2 (subject to document verification) as expeditiously as possible and in any event within a period of two weeks from the date of submission of the documents by Petitioner No.2.

6. We now place the above matter for reporting compliance on 28th January, 2025.

7. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]

[B. P. COLABAWALLA, J.]