

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CWP-28078-2023 (O&M)
Date of decision: 05.01.2024

Rakesh Singhal ...Petitioner

VERSUS

Union of India and others ...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. F.S. Virk, Advocate for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Arvind Seth, Senior Panel Counsel for UOI.

Mr. S.S. Aulakh, AAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed for quashing/waving off the observation recorded in letter/order dated 13.04.2023 (Annexure P-10) by respondent No.6 whereby the petitioner was not allowed to apply for Overseas Citizen of India (OCI) Card and further Visa (X-1) of the petitioner will not be extended. Further quashing of email dated 20.10.2023 (Annexure P-14) and issuance of direction to the respondents to extend Visa (X-1) of the petitioner for a period of 6 months which is valid till 08.01.2024, have also been sought, so as to enable the petitioner to apply for OCI Card.

Learned counsel appearing on behalf of the respondents submits that the authorities are willing to consider the case for annual (one

year) extension of Indian Entry X visa of the petitioner purely on compassionate grounds subject to checks and payments of visa fees as applicable. He further contends that the petitioner's application for OCI Card would be accepted in case of a fresh submission since the petitioner had voluntarily opted for non-application for OCI Card while in India through a notarized undertaking and subject to the petitioner furnishing following documents alongwith the application:-

- (a) Nativity Certificate in original from the competent authority.
- (b) Naturalisation/Citizenship certificate from United States of America (along with name change deed as and if applicable).
- (c) Birth Certificate of self in original.
- (d) Proofs of Indian origin in original pertaining to parents specifically EPIC CARD, INDIAN PASSPORT.
- (e) A letter from concerned authority i.e. Ministry of External Affairs/Regional Passport Office clearly stating the last held Indian Passport by the petitioner immediately before acquisition of USA nationality in 1997.
- (f) Additionally, proofs of Indian origin in original i.e. RATION CARD (father) with clear mentioning of names of family members and their photos and Educational proofs of self (incl. matriculation certificate).

Since the prayer of the petitioner was for considering his application for OCI Card and grant of extension of his Visa, which the

respondent authorities are willing to consider on furnishing of an application alongwith the supporting documents, no further directions are required to be issued in the present case.

In the event of the petitioner applying afresh as per the procedure, appropriate decision shall be taken thereupon.

The present petition is disposed of in above terms.

05.01.2024

Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No