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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2366/2024**

RODNEY FERNANDO TIRADO MOREIRA Petitioner

Through: Mr. Sahil Mongia, Mr. Shahil Rao,
Mr. Rahul Yadav and Mr. Abhishek
Yadav, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Vijay Joshi and Mr. Mohit Joshi,
Advocates.

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
11.03.2024

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1. The Petitioner has approached this Court for a direction to restore his e-tourist visa bearing No.I006V0121B20 which is valid from 29.02.2020 to 27.02.2025.
2. The Petitioner came to India on 04.03.2020 on e-tourist visa and was to exit from the country on or before 30.09.2020. Due to onset of COVID-19 pandemic, the visa of the Petitioner was extended from time to time and last of the extension expired on 09.06.2021.
3. It is stated that the Petitioner was granted exit permits twice, the first one being on 03.11.2021 and the second one on 18.01.2022. Despite the two exit permits, the Petitioner did not exit the country and exited only on 06.10.2022.



4. The Petitioner's e-tourist visa has been cancelled on the ground that the Petitioner has overstayed in the country. Learned Counsel for the Petitioner states that the Petitioner has not been given any show cause notice as to why his exit permit should not be cancelled. The Petitioner also relies on the decision of this Court in Mohammad Abdul Moyeed v. Union of India & Ors., **W.P.(C) 10587/2016** to contend that every overstay need not result in cancellation of visa or blacklisting. The Petitioner therefore seeks permission to give a representation to the Respondents explaining the facts as to under what circumstances, the Petitioner exited only on 06.10.2022.
5. Let the representation be given within a period of six weeks from today and the same be considered as expeditiously as possible in accordance with law.
6. With these observations, the writ petition is disposed of along with pending application(s), if any.
7. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

MARCH 11, 2024

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