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

+ **W.P.(C) 14357/2024 & CM APPL. 60111/2024**

MS. JOHNSON ALIZAH WHITNEY

.....Petitioner

Through: Mr. Pulkit Atal, Mr. Kundan Roy and
Mr. Manoj Kumar, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Farman Ali, SPC with Mr.
Hussain Adil Taqvi and Ms. Usha
Jamnal, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **15.10.2024**

1. The Petitioner, a citizen of the United States of America, is aggrieved by the decision of the Ministry of Home Affairs, Respondent No. 1, to blacklist her from entering India due to overstaying her visa. The Petitioner is the founder and CEO of Media of Society Incorporated, a registered entity in the United States. She has visited India on several occasions under a Business e-Visa, which granted her multiple entries until 11th July, 2024. However, during one of her visits, the Petitioner inadvertently breached the visa conditions by exceeding the permissible 180-day continuous stay limit.
2. Counsel for the Petitioner explains that the overstay was neither deliberate nor intentional. He emphasizes that the Petitioner has substantial business interests in India, which require her to revisit the country to resume essential business operations. Counsel further points out that the Petitioner



had already regularized her overstay by securing an exit permit on 10th July, 2024, upon paying a penalty of INR 10,000/-, which she duly complied with. Following this, the Petitioner departed from India and is currently stationed in Thailand, from where she applied for a new Business e-Visa to India. However, her visa application was rejected. Subsequently, she submitted a representation to the Respondents on 24th September, 2024, requesting reconsideration. Yet, no response or relief has been forthcoming. In these circumstances, the Petitioner has invoked the jurisdiction of this Court, contending that despite paying the requisite penalty, the Respondents' decision to blacklist her continues to impede her legitimate business commitments, creating unwarranted disruptions to her professional engagements in India.

3. The Court has heard the counsel for both parties at length. During the previous hearing, the Court had inquired whether the Petitioner's case could be considered by the Review Committee. In response, Mr. Farman Ali, Standing Counsel for the Respondents, upon instructions, informs the Court that the Petitioner may approach the Review Committee constituted by the Joint Secretary (Foreigners), Ministry of Home Affairs, Dhyan Chand Stadium, New Delhi. The counsel for the Petitioner expresses willingness to pursue this course of action.

4. In view of the foregoing, the present petition is disposed of with a direction that the Petitioner's representation dated 24th September, 2024 shall be placed before the Review Committee constituted by the Joint Secretary (Foreigners), Ministry of Home Affairs, Dhyan Chand Stadium, New Delhi, within two weeks from today. The Review Committee is expected to approach the matter with due care, ensuring that the Petitioner's



concerns are assessed and a decision thereon be rendered within two months from today.

5. It is made clear that the Court has not expressed any opinion on the merits of the case. All rights and contentions of the parties are left open.

6. With the above directions, the present petition, along with pending application(s), if any, is disposed of.

SANJEEV NARULA, J

OCTOBER 15, 2024

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