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

+ **W.P.(C) 16886/2024**

PRAVASI LEGAL CELL

.....Petitioner

Through: **Mr. Jose Abraham and Mr. Basil
Jaison, Advocates.**

versus

UNION OF INDIA

.....Respondent

Through: **Mr. Shashank Dixit, CGSC with Mr.
Vedansh Anand, G.P. for UOI.**

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **06.12.2024**

1. The petitioner has filed the present petition, *inter-alia*, praying as under:

“i. Issue a writ of mandamus or any other writ or directions, directing the Respondent to take appropriate measures and frame guidelines/policies to safeguard the rights and interests of Indian students traveling abroad for education as the existing legal framework for emigration, i.e. the Emigration Act, 1983, excludes students from the definition of emigrants;

ii. Issue a writ of mandamus or any other writ directing the Respondent to consider Annexure P-6 and pass orders on the same, within a time frame that may be fixed by this Hon'ble Court.

2. Learned counsel for the petitioner essentially seeks that the statutory guidelines be framed for protection of the students who travel overseas for educational purposes. The petitioner seeks a direction that the protection extended to immigrants under the Emigration Act, 1983 be also extended to



cover such students.

3. Clearly, the relief sought by the petitioner falls under the realm of policy and legislation. Therefore, we do not consider it apposite to issue any direction in this regard.

4. The petitioner states that he has already made representation to the Secretary, Ministry of External Affairs in this regard. We are sure that this representation would be given the consideration it deserves.

5. The petition is disposed of.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

DECEMBER 06, 2024/ssc

[Click here to check corrigendum, if any](#)