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18.09.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 9541 of 2025

P. Yousuf
Vs.
The Union of India & Ors.

Mr. Dhananjay Banerjee.
Mr. Pralay Hazra.
...for the Petitioner.

Sk. Md. Galib.
Ms. Priyamvada Singh.
... for the State.

Mr. Kumar Jyoti Tiwari. Sr. Adv.
Mr. Tapan Bhanja.
... for the Union of India.

1. Affidavit-of-service filed in Court today be kept with the records.
2. Learned advocate representing the Union of India has obtained instruction from the Ministry of Home Affairs dated 9th September, 2025 clearly mentioning that steps are being taken for ensuring early repatriation of the petitioner, which is pending for want of his nationality status verification to be received from the Pakistan High Commission in New Delhi.
3. Despite providing consular access thrice, the petitioner could not establish his nationality status as Pakistani.

4. As the petitioner has been convicted under Section 14 of the Foreigners Act, 1946, his movement is required to be restricted in detention center under Section 8 of the Immigration and Foreigners Order, 2025. He will be repatriated to his country as and when his nationality status verification is received from the High Commission of Pakistan in New Delhi.
5. In view of the aforesaid stand of the Union of India, the relief sought for by the petitioner to release him from custody cannot be allowed.
6. The writ petition fails and is hereby dismissed.
7. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)