

Item No.2
28.07.2025
Court. No. 36
GB

CPAN 1987 of 2024
In
WPA 17031 of 2024
With
CAN 1 of 2025

Debroop Ghosh
VS
Smt. Neelam Rani

*Mr. M. Lahiri,
Mr. D.P. Dutta
Mr. Kaustav Chandra Das*

...for the Applicant.

*Mr. Sauvik Nandi,
Ms. Amrita Pandey*

...for the Alleged Contemnor.

In Re: CAN 1 of 2025 (in WPA 17031 of 2024)

1. This is an application for modification of the order dated August 29, 2024, by which this Court had directed any senior official of the Ministry of External Affairs, Government of India, Kolkata Branch Secretariat to dispose of the application of the petitioner thereby explaining to the petitioner, the procedure to be followed for grant of an Indian citizenship and also clarify whether the advice of the U.S Consulate General for obtaining the certificate mentioned in a communication, was the proper procedure or not. The petitioner seeks Indian citizenship as a child born to Indian citizens.
2. It is submitted that the petitioner was called upon and explained that the decision with regard to the grant of Indian citizenship shall be given by the Ministry of

Home Affairs (Griha Mantralaya, Foreigners Division). The Under Secretary to the Government of India, Mr. Ashutosh Anand has informed Mr. Nandi, learned Advocate about such procedure. It is submitted that the petitioner has to apply through a portal.

3. Under such circumstances, CAN 1 of 2025 is allowed and disposed of.
4. Let the order dated August 29, 2024 be modified to the extent that in paragraph 10 of the order, instead of “senior official of the Ministry of External Affairs, Government of India, Kolkata Branch Secretariat”, the representation of the petitioner shall be now disposed of by the “Under Secretary to the Government of India, Ministry of Home Affairs”, and/or such other appropriate authority not below the rank of the Under Secretary of the concerned department.
5. Needless to mention that, the said authority will issue a reasoned order thereby outlining and detailing the procedure to be followed by the petitioner in obtaining Indian citizenship. A reasoned order shall be passed by the concerned authority and communicated to the petitioner.
6. The parties shall act on the basis of serve copy of the order communicated to the petitioner.
7. The time for consideration of the petitioner’s case as stated in paragraph 11 of the order, is now extended by a period of two months.

8. A copy of the application along with the modified order shall be served upon the Under Secretary to the Government of India, Ministry of Home Affairs (Griha Mantralaya, Foreigner's Division).
9. Needless to mention, the authority will act on the basis of the writ petition along with the detailed application which was already forwarded.
10. The contempt application is disposed of.

(Shampa Sarkar, J.)