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

+ **W.P.(C) 3253/2025 &CM APPL. 15293/2025**

AMIT TANWAR

.....Petitioner

Through: **Mr. Ujwal Ghai, Adv.**

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Mr. Farman Ali, SPC alongwith Mr. Vidur Dwivedi, GP and Mr. Dhruv and Ms. Usha, Advocates for R-1 to 4.**

Ms. Avshreya Pratap Singh Rudy, SPC, Ms. Usha Jamnal, Ms. Harshita Chaturvedi, Mr. Siddharnt Nagar, Adv.s. for BOI.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

17.03.2025

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1. The present petition has been filed by the petitioner seeking that the respondent nos.1 to 4 be directed to initiate deportation proceeding against the respondent no.5 (Mr. Obinna Theodore Onyeneto) on account of the fact that the said respondent has been staying in India much beyond the validity of his visa and therefore deportation proceedings are liable to be initiated to deport respondent no.5 to his native country.

2. It is submitted that the respondent no.5 had entered India on 30.12.2017 on a student visa which was valid only for a period of 6 months i.e., from 06.12.2017 to 05.06.2018. During this period, the respondent no.5 obtained a residential permit from the Foreigners Regional Registration Office (FRRO) /respondent no.3 which was valid from 09.02.2018 to



05.06.2018. It is submitted that on 29.07.2022, the respondent no.5 filed an application for extension of his visa which had expired as far back as on 06.06.2018. However, the applications for extension of visa stood rejected by the respondent no.3/FRRO on 27.02.2023.

3. By of the present petition it is, *inter alia*, sought as under:-

“a) Allow the present petition and issue a writ / order / direction in nature of mandamus or any other writ directing / commanding / requiring the Respondents No. 1 to 4 to initiate deportation proceedings against the Respondent No. 5 Obinna Theodore Onyeneto to his native country i.e. Nigeria;”

4. After some hearing, with the consent of the respective counsel, the present petition is disposed of with the directions to the respondent nos.1 to 4 to treat the present petition as a representation of the petitioner and take requisite action thereon as may be warranted under law. It is further directed that the said representation be considered and requisite action, as may be warranted, be taken within a period of 8 weeks from today.

5. The present petition stands disposed of in the above terms. Pending application also stands disposed of.

SACHIN DATTA, J

MARCH 17, 2025/at