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

+ W.P.(C) 8867/2025 and CM APPL.37868/2025

AMIT TANWAR

.....Petitioner

Through: Mr. Ujwal Ghai, Advocate.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ashish K. Dixit, CGSC along with Mr. Shivam Tiwari and Mr. Umar Hashmi, Advocates for R-1 to R-3.

Mr. Rajeev Lochan, Advocate for R-5 (through VC)

ASI Padam Kumar, Legal Cell (FRRO).

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

27.08.2025

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1. The present petition has been filed by the petitioner, *inter alia*, seeking the following prayers:

“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;”

2. The present petition has been filed in the backdrop of the order dated 17.03.2025 passed in previous writ petition filed by the petitioner i.e., W.P.(C) 3253/2025. The same was disposed of *vide* order dated 17.03.2025 in the following terms:-

“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.”

3. The grievance ventilated in the present petition is that the directions contained in the aforesaid order, have not been complied with.

4. A status report has been filed on behalf of the respondent no.3 in these proceedings, wherein, it has been stated as under:-

“3. In respect to the Delhi High Court orders dated 17.03.2025 passed in W.P.(C) 3253/2025 and also upon a subsequent complaint dated 05.06.2025 filed by the petitioner against the foreign national, it is stated that the matter was considered by this office and a letter dated 19.06.2025 was written to DCP/South Distt. Delhi to produce the said



foreign national Obinna Theodore Onyeneto in this office for repatriation proceedings (copy of letter attached as Annexure R-2).

4. That accordingly the foreign national was produced by the local police in this office on 02.07.2025 and in pursuance of the orders of the Hon'ble High Court of Delhi dated 17.03.2025 and the complaint of the petitioner dated 05.06.2025, the movements of the above-named foreign national have been restricted at the restriction centre Sewa Sadan, Lampur, Narela Delhi by this office w.e.f. 03.07.2025. The concerned High Commission has also been informed about the restriction of the foreign national and requested to provide the travel documents/air tickets of the foreign national vide this office communication dated 03.07.2025. (copy of letter attached as Annexure R-3). However, no response has been received from the High Commission till date and the foreign national also has not provided his air tickets till date due to which the process of his repatriation to his native country is still pending."

5. In view of the aforesaid, particularly the fact that requisite steps appear to have been taken by the FRRO, learned counsel for the petitioner does not wish to press the present petition at this stage; the same is, accordingly, dismissed as withdrawn. Pending application also stands disposed of.

SACHIN DATTA, J

AUGUST 27, 2025/r