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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1655/2023**
RAZAK AND SONS KAKIWALA TOURS AND TRAVELS

.....Petitioner

Through: Mr. Abdul Barikhan, Mr. G. Singh,
Advs.

versus

UNION OF INDIA AND ANR

.....Respondents

Through: Mr. Ripudaman Bhardwaj, CGSC
with Mr. Kushagra Kr., Mr. Amit Kr.
Rana, Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

27.11.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 215 of the Constitution of India, 1950 read with Sections 11 and 12 of the Contempt of Courts Act, 1971 seeks the following prayers: -

“a) initiate contempt proceedings against the Contemnor for deliberate and wilful disobedience of the order dated 25.05.2023 passed in Razak and Sons Kakiwala Tours and Travels Versus Union of India, 2023 **W.P.(c) no. 7254/2023**

b) direct the Contemnors to be present in person before this Hon'ble Court on the date which may be fixed by this to face the contempt proceedings;

c) punish the contemnors as per the law including imprisonment;

d) Any other order which deems fit and proper in the facts and circumstances of the present case.”

3. The compliance affidavit dated 20.03.2025 has been filed on behalf of the respondents, wherein it has been recorded as under: -



“3. It is submitted that the instant Contempt Petition has been filed by the Petitioner before this Hon'ble High Court alleging violations of the order dated 25.05.2023 passed by the Hon'ble High Court in a batch of Writ Petitions including W.P.(C) No. 7254/2023 which was filed by the Petitioner. The relevant portion of the Order dated 25.05.2023 is being reproduced as under for ready reference: -

“... ”

31. *Considering the above background, in respect of quota allocation, the following directions are issued:*

a) *The Ministry shall first allot quotas to Al Muqaddas Tours and Travels, Harmain Tours and Travels and Hasnain Tours and Travels for Haj- 2023 as their writ petitions have been allowed, as directed above.*

b) *Thereafter, in so far as the remaining quota is concerned, the same shall be dealt with in terms of the Haj Policy, 2023 and shall be distributed among Category-I and Category-2 HGOs.*

c) *Today, the Court has been informed that there is an enquiry which is being conducted by the Ministry qua 17 HGOs who have already been declared eligible and were allocated quotas for Haj 2023. **It is directed that if any quota becomes available, post the enquiry, the same shall be distributed in accordance with the Policy with a minimum of 50/100 seats as per their category to the HGOs which are listed above at paragraph number 27.***

d) *Any quota which may be left over, thereafter, shall be dealt with in accordance with the Haj Policy, 2023." (emphasis supplied) ”*

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1. It is submitted that from a perusal of the directions passed by the Hon'ble High Court it is clear that the allocation of quota to the Petitioner was in case any quota becomes available, post the enquiry being conducted by the Ministry qua 17 HGOs who had already been declared eligible and were allocated quotas for Haj 2023, and the said quota was directed to be distributed in accordance with the Policy with a minimum of 50/100 seats as per their category to the HGOs which were listed in paragraph No. 27 of the order dated 25.05.2023. The petitioner is one of the HGOs listed in para No.27 of the said order dated 25.05.2023.

2. It is submitted that several writ petitions were filed by the HGOs against which enquiries were initiated, of which note was taken by the Hon'ble High Court while passing the order dated 25.05.2023, and vide order dated 07.06.2023, the Hon'ble Court was pleased to pass the following directions: -

"26. Accordingly, to ensure that the pilgrims are not obstructed from completing their journey and undertake Haj, the comments in



the consolidated list of allocation of Haj Quota for HAJ-2023 issued on 25th May, 2023 by the respondent which reads as "Registration Certificate & Quota Kept in abeyance till finalization of proceedings in complaint related matter" is stayed.

True copy of the order dated 07.06.2023 passed in one of the writ petitions W.P.(C) No. 8412/2023 filed by M/s AI Tawaf Hajj and Umrah Travel and Tourism out of 17 HGOs IS annexed herewith and marked as **ANNEXURE R-2**.

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9. It is humbly submitted that since no quota could become available qua 17 HGOs, which were allocated quotas earlier for Haj 2023 and the said allotted quota had to be restored in compliance with directions passed by the Hon'ble Courts, no quota could be allocated to the HGOs which were listed in paragraph No. 27 of the order dated 25.05.2023.

10. That in view of the above, it is humbly submitted that the Government has complied with the order dated 25.05.2023 of the Hon'ble High Court of Delhi and no quota could be allocated to the Petitioner since no quota was available after allocation quota to 17 HGOs against whom enquiries were initiated. The Department made efforts to obtain stay orders against the orders dated 07.06.2023 by filing LPAs and S.L.P (C) and since no stay of the order dated 07.06.2023 was granted, the same had to be complied with by the Respondent Ministry. Therefore, there is no intentional or deliberate violation or non-compliance of the order dated 25.05.2023 passed by the Hon'ble High Court."

4. In view of the above, no further directions are called for.
5. The present petition is disposed of with liberty to the petitioner to avail of any remedies, if available, in law before the Court of competent jurisdiction.
6. Pending applications, if any, also stand disposed of.

AMIT SHARMA, J

NOVEMBER 27, 2025/kr/sg