



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 36 OF 2026

1. Mrs. Siona De Souza,
Daughter of Simplicio Agostinho De Souza,
Wife of Shawn Gabriel D Costa,
Aged 34 years,
Portuguese National.

2. Master Arthur D Costa,
Son of Petitioner No. 1
And Shawn Gabriel D Costa,
Minor being of aged 4 years,
Portuguese National,
Both the above presently
Resident of H. No. 301/1,
Walkeshwar Vaddo,
Bodiem, P. O. Tivim,
Bardez, North Goa-Goa. 403502. ... Petitioners

Versus

1. The Union of India,
Through its Secretary,
Ministry of Home Affairs,
Government of India,

North Block, General Secretariat,
New Delhi, 110 001.

2. The Foreigners Regional

Registration Office,
Mumbai, with office at
Badruddin Tayyabji Marg,
Mumbai, 400 001.

... Respondents

Mr. Dhaval Zaveri, Advocate for the Petitioners.

Mr. Pravin Faldessai, Deputy Solicitor General of India for
Respondent No. 1.

**CORAM:- VALMIKI MENEZES &
AMIT S. JAMSANDEKAR, JJ.**

DATED :- 22ND JANUARY, 2026.

ORAL JUDGMENT (Per. Valmiki Menezes, J.)

1. Registry to waive office objections and register the matter.
2. Heard learned Advocates for the parties.
3. Rule. Rule is made returnable forthwith; at the request of and with the consent of learned Advocates for the parties, the matter is finally heard and disposed of. Learned Advocate, Mr. Dhaval Zavery, waives service on behalf of the Petitioners,

learned Deputy Solicitor General of India waives service on behalf of Respondent No. 1.

4. The controversy in this matter is the failure of the Petitioners to produce proof that their father/grandfather, who was admittedly born in Karachi in 1952 (when Goa was Portugal Territory), and returned to and was resident of Goa until its liberation, resulting in rejection of their application for an Overseas Citizen of India (OCI) Card.

5. Learned Advocate for the Petitioners submits that they are willing to produce documentation in proof of this fact, but were not afforded a hearing by Respondent No. 2 and their application for OCI Card was rejected without any hearing. To avoid any further delays in processing the Petitioners applications for OCI Card, the Petitioners shall apply on the portal of Respondent No.2 with a fresh application for OCI Card and intimate Respondent No. 2 of such application. On such intimation being given to Respondent No. 2, Respondent No. 2 shall issue notice to the Petitioners to appear before the concerned Officer at his office at Mumbai, for a personal hearing and for the Petitioners to submit all the documents in proof of the contentious issue. The Officer shall then take his decision based on the documents produced before him, preferably within three weeks thereafter.

6. The petition stands disposed of with this direction. We have not expressed any view on the contentions raised in the petition and the concerned officer of Respondent No. 2 is free to take a decision based on the documents produced before him and being influenced by any observations made in this order.

7. Rule is made absolute in above terms.

AMIT S. JAMSANDEKAR, J. VALMIKI MENEZES, J.