



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

120

CWP-10480-2026

Date of Decision: 10.04.2026

PAWANDEEP KAUR

...Petitioner

Versus

UNION OF INDIA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

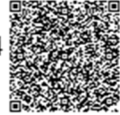
Present:- Mr. Sachin Sharma, Advocate,
Ms. Rakhi Sharma, Advocate and
Mr. Vivek Tiwari, Advocate for petitioner

Mr. Satya Pal Jain, A.S.G. (through V.C.) with
Mr. Arvind Seth, Senior Panel Counsel
For respondent U.O.I.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking direction to respondent to process/grant Exit Permit to her minor child (aged 9 years, OCI Card Holder). She is further seeking regularization of her child's overstay and setting aside of penalty Rs.1,01,500/-.

2. The petitioner is a single mother. She is citizen of Canada and OCI Card Holder. She is currently residing at House No. 3138/2, Sector 41D, Chandigarh along with her child. Her child namely Survaan Mehta was granted E-Visa for 180 days with effect from the date of journey dated 06.10.2024. Permitted stay was scheduled to expire on 04.04.2025. In order to enroll the child in school, submission of child's Aadhaar card is a necessary requirement. For issuance of Aadhaar card, she was asked to either



obtain OCI Card (Overseas Citizen of India) or Residence Permit/Long Term Visa. She applied for an OCI Card within visa period as there was no such aforementioned document in her child's name. OCI Card was issued on 03.12.2025. She applied for Aadhaar Card on 09.02.2026. She applied for Visa Extension of her child vide application dated 06.01.2026 and the same was denied. She approached respondent-Authorities time and again for visa extension and conversion of the same. Respondent authority took no action on the application of petitioner instead imposed a substantial penalty upon her minor child of Rs.1,01,500/-.

3. Learned counsel for respondents submit that authorities are not stopping petitioner's son from leaving country, however, he is liable to pay penalty for overstay. The moment he will deposit penalty, would be permitted to leave the country.

4. Faced with this, Mr. Sachin Sharma, Advocate submits that penalty is unjustified, however, petitioner would deposit 'Under Protest'. Her right to avail remedies against order of penalty may be kept open.

5. In the wake of statement of both sides, the petition stands disposed of. The petitioner may deposit aforesaid penalty under protest. She would be free to avail legal remedies against the order of penalty. On deposit of penalty, she would be free to take away her son out of country.

6. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

10.04.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No