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

+ **W.P.(C) 1169/2026**

**NIYARAM BEHZAD KAVIYANIPOUR** .....Petitioner

Through: Mr. Rahul Chitnis, Mr Hersh Desai,  
Mr Aditya Khanna, Adv.

versus

**UNION OF INDIA** .....Respondent

Through: Mr. Mukul Singh, CGSC with Mr.  
Adhiraj Singh, Mr. Aryan Dhaka, Ms.  
Ira Singh, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV**

**ORDER**

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**28.01.2026**

**CM APPL. 5734/2026 EXEMPTION- FAIR COPIES**

**CM APPL. 5735/2026 EXEMPTION-LEGIBLE COPIES**

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

**W.P.(C) 1169/2026 and CM APPL. 5733/2026**

3. The petition bearing no. W. P. (C) 724/2026, filed by the mother of the petitioner was disposed of on 19.01.2026 granting liberty to take appropriate alternate remedy. The order dated 19.01.2026, is extracted as under:

**"CM APPL. 3472-3473/2026 (for exemption)"**

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.



**W.P.(C) 724/2026 and CM APPL. 3471/2026**

1. The petition is for setting aside the order passed by the respondent, cancelling her Overseas Citizen of India Card, in exercise of powers under Section 7D (a) of the Citizenship Act, 1955 (the Act).
2. It is seen that against orders passed under Section 7D (a) of the Act, an application for review may be preferred by any person aggrieved by the same, under Section 15A of the Act. The said provision is extracted below, for reference:

*“15A. Review.—(1) Any person aggrieved by an order made by the Central Government, may, within thirty days from the date of such order, make an application for review of such order:*

*Provided that the Central Government may entertain an application after the expiry of the said period of thirty days, if it is satisfied that the applicant was prevented by sufficient cause from making the application in time:*

*Provided further that an application for a review of an order passed in terms of the provisions of section 14A shall be disposed of in the manner provided for in the procedure as may be laid down under clause (ia) of sub-section (2) of section 18.*

*(2) On receipt of an application under sub-section (1), the Central Government shall, make such order as it deems fit, and the decision of the Central Government on such review shall be final”*

3. Learned counsel who appears on behalf of the petitioner, however, submits that in view of the impugned order, she will have to immediately return to Iran; and therefore, prays that her rights be protected in the interregnum.
4. The impugned order is dated 01.01.2026 and the petition has been filed only on 17.01.2026, i.e., more than two weeks after the passing of the impugned order. Considering that the petitioner has not shown urgency in approaching the Court, it may not be open for the petitioner to now claim that there exists urgency in the matter.
5. Be that as it may, if the petitioner takes recourse to the alternate remedy, let the same be dealt with due expedition.
6. With the aforesaid observations, the instant petition stands disposed of along with all pending applications. All rights and contentions of the parties are left open.
7. Liberty is granted to the petitioner to re-approach the Court if her grievance is not redressed through the alternative remedy.”

4. The instant petition also deserves to be disposed of with the similar liberty. Accordingly, the aforesaid order passed in W. P. (C) 724/2026 shall apply *mutatis mutandis*.



5. The petition, along with pending application, stands disposed of.

**PURUSHAINDRA KUMAR KAURAV, J**

**JANUARY 28, 2026**

aks/ksr