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

+ **W.P.(C) 2155/2026 & CM APPL. 28243/2026**

RISHI DATTA

.....Petitioner

Through: Mr. Mehul Sharma, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Shashank Bajpai, CGSC with Ms. Aashna Mehra, Mr. Vatsal Tripathi, Mr. Govind Singh Chauhan, Advocates for UOI.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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08.05.2026

1. The instant petition is for the following reliefs:

“1. Issue a writ of mandamus directing Respondent No. 1 (Union of India through MHA) to take a final decision on the Petitioner's Form XXV application bearing MHA File No. 2025100049 within 7 days from the date of this order and issue Certificate of Resumption of Indian Citizenship in Form XXVI to the Petitioner via registered post/email, given the extreme urgency arising from missed university admission deadlines and other impending deadlines.

2. Issue an interim direction to Respondent Nos. 1, 2 & 3 to file a status affidavit within 3 days confirming: (i) the date of receipt of the Petitioner's physical submission at the High Commission; (ii) the date and mode of forwarding of the file to MHA (with dispatch/outward number); (iii) the present stage at MHA; (iv) the reasons for delay; and (v) the timeline for immediate disposal.

3. Upon approval/acceptance of the Petitioner's resumption application by Respondent No. 1, issue a further direction to Respondent Nos. 2, 3 & 4 to accept and process the Petitioner's ordinary passport application at the High Commission of India, Kampala, and to issue/reissue an Indian passport within 7 days of receipt of complete application, subject to standard formalities, given the Petitioner's critical university admission



deadlines.

4. Direct that any deficiency/query at MHA, MEA, or Mission level be communicated to the Petitioner in writing/email within 24 hours with an opportunity to comply immediately

5. Pass such other and further orders as this Hon'ble Court may deem fit and just in the circumstances of the case.”

2. This Court on 10.04.2026, has deeply captured the controversy involved herein. Paragraph nos. 6 to 9 are extracted as under:

“6. The facts of the case would indicate that the petitioner was born in 12.10.2007 in Kampala, Uganda to Indian parents. It is the case of the petitioner, that by virtue of his birth to Indian parents and subsequent registration, the petitioner was an Indian Citizen by birth and has held valid Indian passports continuously from infancy until his last passport which expired on 11.10.2025.

7. The petitioner submits that while he was a minor, his father and mother renounced their Indian Citizenship back in year 2015 and 2016, upon acquiring Ugandan Citizenship. As per Section 8(2) of the Citizenship Act, 1955 (hereinafter “1955 Act”) the petitioner ceased to be an Indian citizen, the same provisions reads as under:

8(2) Where 2 [a person] ceases to be a citizen of India under subsection (1), every minor child of that person shall thereupon cease to be a citizen of India:

8. The petitioner, however, turned 18 years of age on 12.10.2025 and within a month i.e., on 04.11.2025 he applied to the Ministry of Home Affairs (hereinafter “MHA”) via the online portal to resume his Indian citizenship. Since then, the application has remained pending.

9. The petitioner has exercised his right under the proviso to Section 8(2) of the 1955 Act for review of his Indian citizenship which reads as under:

Provided that any such child may, within one year after attaining full age, make a declaration 3 [in the prescribed form and manner] that he wishes to resume Indian citizenship and shall thereupon again become a citizen of India.”

3. The Court had also noted that the only impediment with the Government was to take necessary action was non receipt of the input /



report from the security agencies. The Court thus directed that expeditious steps be taken to obtain the necessary report.

4. Today, when the matter is called out Mr. Shashank Bajpai, learned CGSC confirms that in continuation to the ministry's earlier letter, the report of the security agencies has now been received and the application for Indian citizenship filed by the petitioner shall be processed as per the Rules.

5. The Court thus finds that, as of now, there is no impediment in directing the respondent to deal with the petitioner's pending application with due expedition.

6. Let the endeavour be made to complete the process within a period of 30 days from the date of receipt of a copy of the order passed today.

7. With the aforesaid observations, the instant petition along with the pending application, stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

MAY 8, 2026/SH