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

+ **W.P.(C) 4657/2026**

MR JAMES F DECLUE III

.....Petitioner

Through: **Mr. Shekhar Nanavati and Mr. Piyush Yadav, Advs.**

versus

UNION OF INDIA AND ORS

.....Respondents

Through: **Mr. Amit Tiwari, CGSC with Ms. Ayushi Srivastava, Mr. Ayush Tanwar, Mr. Arpan Narwal and Mr. Kushagra Malik, Advs. for UOI.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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08.04.2026

CM APPL. 22704/2026 (EXEMPTION)

1. Exemptions allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The instant petition has been filed seeking following reliefs:

“a) Issue an appropriate writ, order or direction, including a writ of mandamus or any other appropriate writ, directing the Respondents to consider and decide the Petitioner's application for registration as an Overseas Citizen of India (OCI) bearing Application No. INDD0052FN25, in a time-bound manner;

b) Direct the Respondents to pass a reasoned and speaking order on the Petitioner's OCI application in accordance with law;

c) Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

4. The petitioner, a citizen of the United States of America, applied for registration as an Overseas Citizen of India (“OCI”) on 04.06.2025. It is the



case of the petitioner that the respondents have failed to decide the said application despite repeated follow ups.

5. The respondents, on instructions, submit that the Foreigners Regional Registration Office (“**FRRO**”), *vide* e-mail communication dated 12.08.2025, rejected the petitioner’s OCI application. The respondents further submit that the said e-mail constitutes the final order with respect to the petitioner’s application.

6. It is also submitted by the respondents that the petitioner’s e-tourist visa has already been converted into an entry visa (X-1) on the basis of his marriage with an Indian national. It is submitted that the petitioner may seek appropriate visa extension upon the expiry of his current visa. The extension application shall be considered in accordance with the applicable rules and regulations.

7. It is further submitted by the respondents that the petitioner’s application for registration as an OCI cardholder cannot be considered, as he is ineligible for the same on account of his engagement in foreign military services.

8. Therefore, if the petitioner is aggrieved by the rejection order dated 12.08.2025, passed by the respondent, he shall be at liberty to take appropriate recourse in accordance with law to challenge the same.

9. For all those reasons, the instant petition stands disposed of.

10. *Dasti.*

PURUSHAINDRA KUMAR KAURAV, J

APRIL 8, 2026/Sh