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

+ W.P.(C) 13149/2023, CM APPL. 51934/2023, CM APPL.

1483/2024&CM APPL. 18181/2024

SHANTANU PRAKASH

.....Petitioner

Through: Mr. Darpan Wadhwa, Sr Adv. with
Ms. Neeha Nagpal, Mr. Malak M
Bhatt and Mr.Vishvendra Tomar,
Advs.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Nishant Gautam, CGSC with Ms.
Kavya Shukla, Mr. Vineet, Mr.
Vibhav V. Nath and Ms. Theresa,
Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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30.03.2026

1. The petition is for the following reliefs:

“A. Pass an Order directing issuance of a writ, order or direction in the nature of a mandamus or certiorari or any other appropriate writ quashing and setting aside decision dated 04.09.2023, whereby the Respondent has rejected the citizenship application of the Petitioner; AND

B. Pass an Order directing issuance of a writ, order or direction in the nature of a mandamus or certiorari or any other appropriate writ granting Indian Citizenship to the Petitioner; AND/OR

C. Pass any such other writ or order(s) as it may deem fit and proper in the interest of justice.”



2. By way of the decision dated 04.09.2023 (“**Impugned Decision**”), the respondent authority has rejected the petitioner’s application for Indian citizenship filed under Section 5(1)(a) of the Citizenship Act, 1955 (“**the Act**”). The respondent cited the following reasons for rejection:

*“(i) Central Security Agency has given adverse remark stating that there are three FIRs lodged against applicant.
(ii) The State Police have also informed vide their report about FIRs against the applicant.
(iii) The State Government of Haryana and the District Magistrate, Gurugram have not recommended the case under Rule 12 (1) and 12 (2) of the Citizenship Rules, 2009 due to same reason.”*

3. Mr. Darpan Wadhwa, learned senior counsel appearing on behalf of the petitioner, submits that the rejection of his application on the ground of FIRs, adverse remarks and the absence of recommendation from the State authorities, is arbitrary and unfair. Mr. Wadhwa contends that the concerned authority has failed to consider the nature of the allegations made in the FIRs. According to him, the FIRs do not relate to any serious offence. He further submits that the inference of adverse remark is not supported by any cogent material. It is the case of the petitioner that had he been granted an opportunity of hearing to explain the aforesaid circumstances, he would have been able to satisfy the concerned authority.

4. The impugned decision, however, passed under Section 14 of the Act, can be assailed through an alternate and efficacious remedy. Sections 15 and 15A of the Act provide for revision and review, respectively. As per Section 15, any person aggrieved by an order made under the Act may, within a period of thirty days from the date of the order, make an application to the Central Government for a revision of that order.



5. This Court in ***Vineet Saraf v. Rural Electrification Corpn. Ltd.***,¹ in a related context has held as under:

“73. Indeed, there are sound reasons for not entertaining a petition before a writ court, where the relief being prayed for can be sought from a statutorily established forum. If the writ courts routinely grant reliefs—which could have been sought from an alternate forum established by way a statute—the court, in effect, obviates the will of Parliament. It would be a disservice to the Legislature and to the laws passed by it, to not give the requisite regard to its intention of dealing with a category of disputes through a specific procedure and specialised forums.”

6. Accordingly, in light of the aforementioned, the Court finds it appropriate to relegate the petitioner to pursue the statutorily prescribed alternate remedy of revision under Section 15 of the Act. If the petitioner is further aggrieved by the decision passed in revision, he may prefer a review against the same under Section 15A of the Act.

7. Thereafter, in case the petitioner’s grievance is not mitigated, he shall be at liberty to take appropriate recourse in accordance with law.

8. The learned senior counsel for the petitioner submits that the period of 30 days has expired from the date of the impugned decision and therefore, his revision may not be dismissed on the ground of limitation as the petitioner was *bona fide* pursuing the instant petition.

9. The Court observes that since the petitioner was allegedly pursuing the instant writ petition, if a revision application is preferred by him within a period of 30 days from today, the same shall not be dismissed on the ground of limitation.

10. The petitioner shall also be at liberty to raise any ground in the revision application, including those not raised in the instant petition.

¹(2024) 252 Comp Cas 499.



11. With these observations, leaving all rights and contentions of the parties open, the petition stands disposed of along with all pending applications.

PURUSHAINDR KUMAR KAURAV, J

MARCH 30, 2026/Sh