

IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION(S)(CIVIL) NO(S). 600/2020

MAULANA ALA HADRAMI & ORS. PETITIONER(S)

VERSUS

UNION OF INDIA & ANR. RESPONDENT(S)

WITH

WRIT PETITION (CRL.) NO. 295/2020

WRIT PETITION (C) NO. 603/2020

WRIT PETITION (C) NO. 604/2020

WRIT PETITION (C) NO. 605/2020

O R D E R

We have heard the learned counsel for the parties.

Although, several questions of law have been raised by both sides, we do not wish to dilate on those matters in the peculiar facts of the present cases, inasmuch as the petitioners before us have already left India consequent to cancellation of their Visas.

The only issue remains is about the validity and

justness of the blacklisting order purportedly issued by the concerned authorities, as stated in the reply affidavit filed before us on behalf of the Union of India. Significantly, paragraph 3 of the reply affidavit, though, refers to the factum of issue of individual blacklisting order, such order has not been produced on record before us.

Whereas, the petitioners have plainly asserted that no blacklisting order has been served on them or any other person known to them similarly placed.

The affidavit filed by the respondents does indicate that individual blacklisting orders have been passed and were to be served on the concerned petitioners/persons at the time of their exit from India. As aforesaid, the unambiguous plea of the petitioners is that such order has not been served on them at the time of exit or otherwise.

In that view of the matter, we would proceed on the basis that individual blacklisting orders have not been served on the petitioners/concerned persons.

Mr. Tushar Mehta, learned Solicitor General appearing for the respondent(s)-Union of India, in all fairness, submits that separate blacklisting orders

have not been served on the petitioners or similarly placed persons at the time of their exit from India.

In that view of the matter, the concerned authorities shall examine the future applications for grant of *visa(s)*, to be made by the petitioners or similarly placed persons, on case-to-case basis, in accordance with law, uninfluenced by the stand taken by the respondent(s) in the reply affidavit filed before this Court.

Needless to clarify that while considering such applications, it will be open to the concerned authorities to take into account all aspects of the matter as may be permissible in law.

We once again make it clear that we are not dilating on the questions agitated before us by either side, including about the maintainability of the writ petitions and the rights of the petitioners, to seek relief as claimed in the subject writ petitions. All questions are left open.

The writ petitions are disposed of in the above terms. No order as to costs.

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

..... J
(A.M. KHANWILKAR)

..... J
(ABHAY S. OKA)

..... J
(J.B. PARDIWALA)

NEW DELHI;
MAY 12, 2022.

ITEM NO.5

COURT NO.3

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION(S)(CIVIL) NO(S). 600/2020

MAULANA ALA HADRAMI & ORS.

PETITIONER(S)

VERSUS

UNION OF INDIA & ANR.

RESPONDENT(S)

IA NO. 57162/2021 - CLARIFICATION/DIRECTION
 IA NO. 84683/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA NO. 80750/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA NO. 130396/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA NO. 124205/2020 - EXEMPTION FROM FILING O.T.
 IA NO. 84681/2020 - EXEMPTION FROM FILING O.T.
 IA NO. 57164/2021 - EXEMPTION FROM FILING O.T.
 IA NO. 80751/2020 - EXEMPTION FROM FILING O.T.
 IA NO. 130397/2020 - EXEMPTION FROM FILING O.T.
 IA NO. 57161/2021 - INTERVENTION/IMPLEADMENT
 IA NO. 58426/2020 - INTERVENTION/IMPLEADMENT
 IA NO. 130398/2020 - INTERVENTION/IMPLEADMENT)

WITH

W.P.(CRL.) NO. 295/2020 (X)

IA NO. 3234/2022 - APPROPRIATE ORDERS/DIRECTIONS
 IA NO. 98863/2020 - APPROPRIATE ORDERS/DIRECTIONS
 IA NO. 3236/2022 - EXEMPTION FROM FILING AFFIDAVIT
 IA NO. 98865/2020 - EXEMPTION FROM FILING O.T.
 IA NO. 381/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) NO. 603/2020 (X)
 (FOR ADMISSION)

W.P.(C) NO. 604/2020 (X)
 IA NO. 68528/2020 - INTERVENTION/IMPLEADMENT)

W.P.(C) NO. 605/2020 (X)
 IA NO. 68558/2020 - INTERVENTION/IMPLEADMENT)

Date : 12-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
 HON'BLE MR. JUSTICE ABHAY S. OKA
 HON'BLE MR. JUSTICE J.B. PARDIWALA

For Parties

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Mr. Alim Anvar, Adv.

Mr. Rahul Chitnis, Adv.
Ms. Anisha Mathur, Adv.
Mr. Sachin Patil, AOR

Mr. Manish Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

The writ petitions are disposed of in terms
of the signed order.

Pending application(s), including
applications for impleadment/intervention, are
also disposed of.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

(Signed order is placed on the file)