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

+ **CONT.CAS(C) 776/2025**

JOHN ROBERT ROUGHTON III THROUGH POA VICTORIA

ROUGHTON

.....Petitioner

Through: Mr. Febin Mathew Vaghese, Mr.
Ibansara Syiemlieh, Advocates.

versus

JOINT SECRETARY FOREIGNERS DIVISION & ANR.

.....Respondent

Through: Mr. Chetan Sharma, ASG with Ms.
Nidhi Sharma, Mr. Armit Gupta, Mr.
Saurabh Tripathi, Mr. Shubham
Sharma, Ms. Urja Pandey, Mr. Arnav
Mittal, Mr. Aakash Mishra and Mr.
Rudra Paliwat, GP, Advs with Mr. G.
Murthuraja, Director, MHA for UOI.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **28.05.2025**

[Hearing has been conducted through Video Conferencing]

1. Pursuant to the previous order, a clarification application was moved by petitioner, before the Writ Court, seeking clarification of para 29 of the judgment dated 28th March 2025.
2. The writ court on 22nd May 2025 has stated that no clarification was required since the application seeking clarification of the judgment dated 28th March 2025, proceeds on the premise that the *backlisting order*, against the petitioner, continues to subsist. The relevant para(s) of the order dated



22nd May 2025 read as under:

2. The application proceeds on the premise that the blacklisting order against the petitioner continues to subsist.

3. The judgment dated 28.03.2025 clearly *inter-alia* holds as under:

“29. Consequently, both the deportation of the petitioner and the process of blacklisting him fail to meet the statutory requirement/s prescribed under Section 7-D of the Citizenship Act, 1955. Given that the petitioner continues to hold a valid OCI card, his rights as an Overseas Citizen of India cannot be curtailed arbitrarily.”

3. Despite this, there is no confirmation from the respondent, that the rights of the petitioner as an OCI citizen of India, holding an OCI card, will be restricted and he will not be allowed entry into the country, where his wife stays and he himself has been residing, for vast periods of time, previously.

4. Neither the proceedings have been initiated for the cancellation of the OCI card nor a show cause notice of blacklisting has been issued; the reason given by *Mr. Chetan Sharma, ASG*, is that they will be filing an LPA against the order dated 28th March 2025.

5. Neither the LPA is filed nor any other due process of law has been presented before the Court, to satisfy the Court, that petitioner should not be allowed entry in India.

6. At this stage, *Mr Chetan Sharma,ASG* submits on instructions, that he can persuade the authorities to constitute a *review committee*, which will look into the case, along with up to date inputs and then take a conscious decision.

7. Considering these submissions are by the ASG, the same are taken on record. It is however, expected that a review decision, in that regard, will be taken within the next four weeks.



8. A communication of the decision taken, shall be sent to the petitioner; if the petitioner is aggrieved with the said decision, he shall be at liberty to assail the same, in accordance with law.
9. Considering the undertaking given, the matter is being listed for '*compliance*' on 08th July 2025.
10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 28, 2025/RK