

25
27.08.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 9541 of 2025

P. Yousuf
Vs.
The Union of India & Ors.

Mr. Dhananjoy Banerjee.
Mr. Pralay Hazra.

...for the Petitioner.

Sk. Md. Galib.
Ms. Priyamvada Singh.

... for the State.

Mr. Kumar Jyoti Tiwari. Sr. Adv.
Mr. Tapan Bhanja.

... for the Union of India.

1. Affidavit-of-service filed in Court today be kept with the records.
2. Leave is granted to the advocate-on-record of the petitioner to implead the Ministry of Home Affairs, Government of India, Kartavya Bhavan-3, 137, Man Singh Road, New Delhi - 110001 and the Foreigner Regional Registration Officer (FRRO), 237, Acharya Jagadish Chandra Bose Road, Ballygunge, Kolkata-700 020 as party respondents and serve copy of the writ petition upon the added respondents.
3. The petitioner claims to be a resident of the Islamic Republic of Pakistan. He was convicted under the Foreigner's Act and is presently in the Dum Dum Central Correctional Home. The period of conviction is long over.

The petitioner prays for a direction upon the respondent authority to repatriate him to his own country.

4. Learned advocate representing the State respondents has obtained instruction from the Officer-in-charge, Law Cell, Directorate of Correctional Services, West Bengal signed on 8th May, 2025 which records that the petitioner was taken to the embassy of Pakistan twice, but the Pakistan embassy is denying the petitioner to be citizen of that country.
5. The petitioner has produced documents to show that there are sale deeds registered by him in the State of Kerala.
6. Presently, the petitioner's position is such that he has been convicted as a foreigner in this country and the country of which the petitioner claims to be a citizen, is not agreeable to accept the petitioner as its citizen.
7. The petitioner is in custody for more than eleven years after completion of his period of detention.
8. Learned advocate representing the Union of India is directed to obtain proper instruction in this matter with regard to the next course of action with the petitioner. Whether the petitioner can be released or is he required to undergo further detention shall be specifically intimated by the Authority.
9. Re-list the matter on 17th September, 2025.
10. All parties to act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Amrita Sinha, J.)