

ITEM NO.45

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 (CIVIL)Diary No(s). 23301/2025

AHMED TAREK BUTT & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 02-05-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) : Dr. Nanda Kishore, AOR
Mr. Danish Saifi, Adv.
Mr. C.Kranthi Kumar, Adv.
Mr. Arvind Ramesh Kumar, Adv.
Mr. Chetan Ramesh, Adv.
Mr. Veshal Tyagi, Adv.
Mr. Shafik Ahmed, Adv.

For Respondent(s) : Mr. Tushar Mehta, SG
Mr. Kannu Aggarwal, Adv.

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

1. Heard learned counsel for the petitioners as well as learned Solicitor General of India for the respondents and carefully perused the material placed on record.
2. The objections pointed out by the Registry in the instant Writ Petition are waived off.
3. Petitioner Nos.2 and 3 are husband and wife. Petitioner Nos. 1, 4, 5 and 6 are their children (sons and daughter). They are currently residents of Srinagar in the Union Territory of Jammu and Kashmir.
4. Pursuant to the Government of India order dated 25.04.2025, the visas granted to the Pakistani Nationals have been revoked, except those who are duly protected through that order. The timeline has been prescribed for deportation of those Pakistani Nationals who are not entitled to retain visa in terms of the aforestated order.

5. Some of the petitioners are now alleged to have been detained for the purpose of their deportation in compliance with the Government of India order dated 25.04.2025.

6. The petitioners, on the other hand, rely upon various official documents, including the passports allegedly issued in their favour by the Union of India, to urge that they are Indian Nationals.

7. Since the factual plea taken by the petitioners requires verification by the authorities, including genuineness or validity of the documents appended with the instant Writ Petition, we dispose of the same, at this stage, without expressing any opinion on the merits of the case and with a direction to the respondent-authorities to verify all these documents or any other relevant facts that may be brought to the notice of the authorities. Let an appropriate decision be taken at the earliest, though we are not fixing any timeline.

8. Keeping in view the peculiar facts and circumstances of this case, the authorities are directed not to take any coercive action against the petitioners till an appropriate decision is taken in the matter.

9. However, if the petitioners are dissatisfied with the final decision that may be taken by the respondent-authorities, liberty is granted to them to approach the Jammu and Kashmir High Court. Ordered accordingly.

9. It is clarified that this order has been passed keeping in view the peculiar facts and circumstances of this case, and the same shall not be treated as a precedent in other cases of deportation etc.

10. As a sequel to the above, the pending interlocutory application also stands disposed of.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR