



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

258

CWP No.23413 of 2023
DATE OF DECISION : 10th MARCH, 2025

Sohan Singh

.... Petitioner

Versus

Union of India & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE KULDEEP TIWARI

* * * *

Present : Mr. Rahul Rampal, Advocate for the petitioner.
Mr. Teevar Sharma, AAG, Punjab.
Mr. Vaibhav Sehgal, Advocate for respondent No.7.
None for remaining respondents.

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KULDEEP TIWARI, J. (Oral)

1. Through the instant writ petition filed under Articles 226/227 of the Constitution of India, a prayer is made for issuance of directions upon the official respondents to take action against respondent No.7 under Foreigner Act, 1946, Foreigners Rules, 1939, Foreigner Order, 1948 and Prevention of Corruption act, 1988, who being the citizen of Canada, had been overstaying in Indian territory without permission and even after extension granted for the stay by respondent No.2 which stood expired on 30.01.2021.

2. This court vide order dated 25.02.2025, passed the following order:

“1. On request of the learned counsel for the respondent No.7, the matter is taken up for hearing out of turn.

2. The prayer made in the instant writ petition appertains to issuance of directions upon the official respondent(s) to



take action against the respondent No.7 on account of his overstaying in Indian Territory without permission.

3. The learned counsel for the respondent No.7 submits that, the respondent No.7 has permission to stay in India till December, 2025, hence the asked for directions cannot be passed. He further submits that, the instant writ petition has been filed with an oblique motive to restrain the respondent No.7 from contesting the civil suit pending between the parties.

4. List on 10.03.2025.

5. To be taken up immediately after the urgent list.

6. It is made clear that, on the subsequent date of hearing, no request for adjournment would be entertained on behalf of either side.”

3. The counsel for the petitioner is unable to refute the contention raised by counsel for respondent No.7 that he has a valid permission to stay in India till December, 2025.

4. What further surfaced from the perusal of this petition is that there are series of litigation between the petitioner and respondent No.7, who is the real brother of the petitioner and it seems that in order to restrain the respondent No.7 to fight for his legal right the instant petition has been filed.

5. The learned counsel for the State has further submits that the Vigilance Bureau has further inquired into the allegations levelled by the



petitioner, however, the same were ordered to be consigned way back on 19.01.2024.

6. Therefore, this Court finds no ground to entertain the instant petition, which is consequently, **dismissed**.

7. All pending application(s), if any, also stand disposed of accordingly.

10TH March, 2025
'raj'

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No