
(2020) 04 DEL CK 0021

In the Delhi High Court

Case No : Civil Writ Petition No. 8 Of 2020

Smita Datta Makhija & Another

APPELLANT

Vs

Union Of India & Anr

RESPONDENT

Date of Decision : 07-04-2020

Acts Referred:

Citation : (2020) 04 DEL CK 0021

Hon'ble Judges : Manmohan, J;Sanjeev Narula, J

Bench : Division Bench

Advocate : Vibha Datta Makhija, Gaurav Kumar Bansal, Jasmeet Singh

Judgement

Today, Mr. Jasmeet Singh, learned Central Government Standing counsel for Union of India enters appearance on behalf of the respondents.

The writ petition has been heard by way of video conferencing.

It is pertinent to mention that the present writ petition has been filed by parents of a daughter who at the moment is residing in Brooklyn, New York,

primarily for issuance of a writ/order/direction to direct the

respondents to take steps for safe and secure return of Indian citizens. The prayer clause in the writ petition is reproduced hereinbelow:-

â??In view of the above mentioned facts and circumstances, this Honâ??ble Court may graciously be pleased to:

(a) Direct the Respondent No.1 and Respondent No.2 to organize a special flight out of New York City, United States of America in view of the

Indian air-space lockdown for commercial flights, to evacuate safely the Indian citizens in distress, and more particularly, Ms. Yasmin Tahira Hussain,

Indian citizen, to New Delhi, India at the earliest;

(b) Direct the Respondent No.3 to assist Indian citizens in distress, and more

particularly, Ms. Yasmin Tahira Hussain, Indian citizen, to remain safe and fully provided for their daily needs till such time a special flight is arranged to evacuate her to New Delhi; and

(c) To Pass any other and further direction that may be necessary in the facts and circumstances of the present case.â??

Ms. Vibha Datta Makhija, learned senior counsel for petitioners does not wish to press the relief for evacuation at this stage. She prays that the proceeding be adjourned by four weeks.

She, however, states that the daughter of the petitioners is facing immense mental and emotional stress and trauma as she has recently lost her job and all her flatmates have left the flat. She prays that in the interim the Indian Consulate in New York be asked to arrange accommodation for the daughter of petitioners at reduced rent and at a safe place in this hour of crisis.

Mr. Jasmeet Singh, learned Central Government Standing counsel for Union of India states that respondents have appointed a Nodal Officer in New

York, USA, to offer all possible help and assistance to all Indian citizens and to ensure their well being. He assures that he would share the telephone

number and e-mail ID of the Deputy Consulate General of India in New York with the learned senior counsel for the petitioners and further the

Deputy Consulate General would get in touch with the daughter of the petitioners later in the evening and provide her all reasonable assistance

including facilitation in obtaining accommodation at reduced rate in a safe place.

The statement made by learned Central Government Standing counsel for Union of India is accepted by this Court and the Union of India is held

bound by the same.

List the matter on 08th May, 2020.

The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through email.