

GUWAHATI-

**Advocate for the Petitioner** : MR F Z MAZUMDER

**Advocate for the Respondent** : DY.S.G.I.

**BEFORE  
HONOURABLE MR. JUSTICE K. SEMA**

**ORDER**

**Date : 06-03-2024**

Heard Mr. F.Z Mazumdar, learned counsel for the petitioners, Mr. D.J. Das, learned counsel for the respondent No. 1 & 2 and Ms. M. Barman, learned Government Advocate for the respondent No. 3.

The present writ petition has been disposed at the motion stage as proposed by the learned counsel for the parties.

The case of the petitioner as projected by the learned counsel for the petitioner is that petitioners are Haj pilgrims during Haj 2023. In 2023 tender was called for chartered flight and after finalising the tender selected Haj pilgrims of Assam were asked to deposit Rs. 3,82,297/- for Haj expenditure including the air fare of the chartered flight.

The learned counsel for the petitioner submits that out of Rs. 3,82,297/-, Rs. 1,54,694/- was collected as air fare of the chartered flight from Guwahati to Jeddah. However, during the boarding at Guwahati embarkation pilgrims of Assam were asked to take normal passenger flight instead of international chartered flight. It is the case of the petitioner that though the Haj Committee of India had cancelled the chartered flight from Guwahati but the excess amount which was deposited by the pilgrims for the chartered flight was not refunded. The petitioners accordingly submitted two representations addressed to the Chief Executive Officer, Haj Committee of India on 22/11/2023 seeking for the refund of the excess amount which was collected from Haj pilgrims but the Haj Committee as of date has not disposed the representations nor refunded the amount to the petitioners. Being aggrieved, the present petition has been filed with the limited prayer to direct the Haj

Committee of India to dispose the representations dated 22/11/2023 submitted by the petitioner in accordance with section-42 of the Haj Committee Act, 2002.

Mr. M.F Mazumdar, learned counsel for the petitioner, Mr. D.J. Das, learned counsel for the respondent No. 1 & 2 and Ms. M. Barman, learned Government Advocate for the respondent No. 3 are in unanimity that the present writ petition can be disposed of, with the direction to the Haj Committee of India to dispose of the representations dated 22/11/2023 in accordance with section-42 of the Haj Committee Act, 2002.

In the light of the submissions made by the learned counsel for the parties, this Court proposes to dispose of the writ petition with a direction to the Chief Executive Officer, Central Haj Committee Office, Mumbai Pin-400001, Maharashtra to dispose the representations submitted by the petitioner on 22/11/2023 strictly in the light of the provisions contain in section-42 of the Haj Committee Act, 2002. Accordingly, the Haj Committee of India i.e. the respondent No. 2 shall dispose the representations dated 22/11/2023 submitted by the petitioner by speaking order after hearing the petitioners and by adhering to the mandate of section-42 of the Haj Committee Act, 2002. All exercise for compliance of this order shall be completed within a period 90(ninety) days from the day of passing of this order.

Writ petition stands disposed.

**JUDGE**

**Comparing Assistant**