

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 3009/2020**

VIMLESH BHATT

..... Petitioner

Through: Mr. Rituparn Uniyal and Mr. Abhishek
Kumar, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Maninder Acharya, Additional
Solicitor General with Mr. Kirtiman
Singh, Central Government Standing
Counsel.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

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ORDER
25.04.2020

CM No. 10434/2020 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) URGENT 3009/2020

1. The hearing was conducted through video conferencing.
2. By this petition, petitioner seeks a direction to the respondent-Union of India to repatriate, from Abu Dhabi, UAE to India, the mortal

remains of deceased Kamlesh Bhatt, younger brother of the petitioner, aged 24 years, who suffered a cardiac arrest on 17.04.2020.

3. It is contended that No Objection Certificate was obtained from the Embassy of India at Abu Dhabi, UAE for shipping the human remains of the deceased to India. The mortal remains of the deceased were flown from Abu Dhabi to Delhi by Flight No. EY 9809.

4. Learned counsel for the petitioner submits that with the efforts of Mr. Roshan Raturi, Social Worker at UAE, the transportation of the deceased body was arranged from UAE to Delhi. It is contended that even though the requisite clearances were available, still the concerned authorities did not permit the unloading the mortal remains of the deceased at Delhi and they were flown back on the same aircraft.

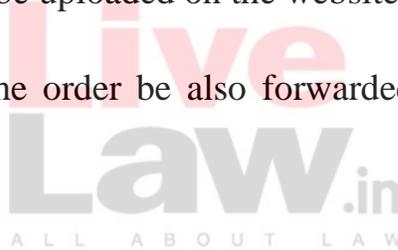
5. Learned counsel for the petitioner submits that since the family of the Petitioner is resident in India, they are not aware about the present state of the mortal remains of the deceased.

6. Issue notice. Notice is accepted by Mr. Kirtiman Singh, CGSC.

7. Ms. Mahinder Acharya, learned ASG appearing for the Respondents, under instructions, submits that it being a unique case, the Central Government, particularly the Ministry of Home Affairs and Ministry of Health and Family Welfare are in the process of framing Standard Operating Procedures so that in future there is no difficulty in

similar matters. She further submits that a meeting is presently going on at the highest level to consider the case of the petitioner and she prays for some time to report about the same. She further, submits that the Central Government shall find out from the concerned Embassy as to the location and condition of the mortal remains of the deceased which were flown back from India. She prays that matter be listed on 27.04.2020 at 3.00 p.m.

8. At request, renotify on 27.04.2020 at 3.00 p.m.
9. The order be uploaded on the website forthwith.
10. Copy of the order be also forwarded to the counsels through email.



SANJEEV SACHDEVA, J

APRIL 25, 2020
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