

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/WRIT PETITION (PIL) NO. 90 of 2023**

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BALWANTSINH SETANSINH VAGHELA
Versus
MINISTRY OF HOME AFFAIRS

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Appearance:

ANURAG R RATHOR(9315) for the Applicant(s) No. 1,2,3

MR HJ DHOLAKIA(5862) for the Applicant(s) No. 1,2,3

MR MASOOM K SHAH(6516) for the Applicant(s) No. 1,2,3
for the Opponent(s) No. 2,3,4,5,6,7

ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the
Opponent(s) No. 1

MR UTKARSH SHARMA, AGP for the Opponent(s) No.1

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL
and
HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE**

Date : 24/08/2023

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)

1. Mr. Kshitij Amin, learned counsel appearing for the respondent No.2 provided some instructions received by him alongwith the communication dated 22.08.2023 sent by SRD Saint Martin & Saint Barthelemy, French Gendarmerie, French Police Authorities addressed to Mr. Kalyan Kumar Halder, wherein, it is sought to be asserted that 9 missing persons, with respect to whom, the instant petition has been filed, were suppose to come to Saint Martin, as per the information given by their family and that they land to make a trip in the Carribean (Dominica, Mostserrat, St Kitts and back to Dominica. However, the whereabouts of 9 missing persons could not be found. The Communication sent to the French

authorities indicates that 9 Indian Citizens are missing since February 3, 2023 while sailing in a boat from Commonwealth of Dominica to Saint Martin and the apprehension is that they are stuck/detained in any of the Island in the Carribean region, or the Overseas Territories of France.

2. Taking note of the concern raised in the petition and the communications provided by the learned counsel appearing for the respondent No.2, we require the respondent No.2 namely the Secretary, Ministry of External Affairs, Government of India to coordinate with the concerned Ministry/High Commission of India in Franace, Dominica to make an effort to find out whereabouts of 9 missing Indian Citizens since February, 2023.

3. The affidavit of the Joint Secretary, Ministry of External Affairs, Government of India shall be filed on the next date fixed, to bring on record the results of the action taken by them.

Post this matter on 18.09.2023.

(SUNITA AGARWAL, CJ)

(ANIRUDDHA P. MAYEE, J.)

Manoj Kumar Rai