



In the High Court of Punjab and Haryana at Chandigarh

119

CWP-PIL-37-2025 (O&M)

Date of Decision: 17.02.2025

KANWAR PAHUL SINGH

.....PETITIONER

VERSUS

UNION OF INDIA AND OTHERS

...RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE H.S.GREWAL**

Present: Petitioner in person.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Dheeraj Jain, Sr. Panel Counsel for the respondent-UOI.

Mr. Salil Sabhlok, Sr. DAG, Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. This Public Interest Litigation has been filed essentially
praying for the following relief:-

*“i. WRIT' in the nature of 'Mandamus' or 'Order(s)'
or 'Direction(s)' directing Respondents to take
immediate and steadfast steps and necessary/requisite
measures for establishing 'EMIGRATION CHECK
POSTS' in all the districts of State of Punjab under
Section 6 of 'The Emigration Act, 1983' in order to
streamline the procedure for Emigration of 'intended
Emigrants' or 'the Emigrants' from India to other
countries and in order to prevent in future, the incident
like recent major deportation of illegal immigrants of
India by United States of America causing loss in crores
of rupees to the people of Punjab and ensure protection
of their Fundamental Rights.*

ii. *WRIT' in the nature of 'Mandamus' or 'Order(s)' or 'Direction(s)' directing Respondents to take immediate and steadfast steps and necessary/requisite measures for upgrading of list of 'Certified Recruiting Agents' and 'Permitted Employers established outside India', on its website so that everybody can have easy access to secure his or her Emigration process from India to any other country and in order to prevent people of Punjab from becoming the victim of such con/fake travel agents in future.*

iii. *WRIT' in the nature of 'Mandamus' or 'Order(s)' or 'Direction(s)' directing Respondents to identify, find and take immediate action against all 'Fake/Con Travel Agents', who are not having license to run Travel agent business in the territory of State of Punjab under Section 3 of Punjab Prevention of Human Smuggling Act, 2012 and running their fake offices or travel agent business in the territory of state of Punjab in order to ensure prevention of Human Smuggling or trafficking via Donkey routes by such agents and to protect Fundamental Rights of innocent people of State of Punjab.”*

2. The grievance alleged is of rampant illegal immigrants being sent abroad through illegal means in violation of certain provisions of the Emigration Act, 1983.

3. It would be appropriate that the competent authority under the said Act of 1983 deals with the issues before this Court enters upon the process of adjudication.

4. Accordingly, the petitioner is directed to prefer a representation raising all the grievances as raised herein, which if done, within a period of 30 days shall be considered and decided by respondents No.1 to 3 as expeditiously as possible by passing a speaking order and the outcome shall be communicated to the petitioner.

5. This Court hastens to add that no comments are made on the merits of the case.

6. Disposed of.

**(SHEEL NAGU)
CHIEF JUSTICE**

17.02.2025
A.Kaundal

**(H.S.GREWAL)
JUDGE**

Whether speaking/ reasoned :
Whether Reportable :

Yes/No
Yes/No