

SUPREME COURT OF INDIA
Record of Proceedings

Writ Petition (Criminal No) 583 of 1992.

Dr. Malavika Karlekar

Petitioner

Versus

Union Of India and Anr.

Respondents

25-9-92 This petition was called on for hearing today.

Coram

Hon'ble the Chief Justice

Hon'ble Mr. Justice Yogeshwar Dayal

For the Petitioners: Ms. Kamini Jaiswal, Adv.

For the Respondents:

Upon hearing counsel the court made the following

ORDER

The writ petition is taken on board.

It is submitted by counsel that 21 persons whose names are mentioned in Annexure 'C' to the petition, a copy of which is taken on record, are likely to be deported from Andaman Islands to Burma tomorrow. We are informed that their applications for refugee status are pending determination. The authorities may check whether these statements are true and if they find that the said statements are true and that the refugee status claimed by them is pending determination and a prima facie case is made out for the grant of refugee status and further that these individuals pose no danger or threat to the security of the country, they may not be deported till question of their status can be determined.

We make it clear that if there is any other ground on which any or all of these persons are to be deported, this order will not affect the same and so also it will not affect any case where refugee status has been denied or not claimed at all.

The writ petition is disposed of. If any further relief is to be sought, it may be sought from the Calcutta High Court.

(Virender K. Sharma)
Court Master

(Mohd. Idris)
Court Master

This order be communicated telegraphically at the cost of the petitioner.