

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

**WP(C) No. 1072/2025
CM No. 2555/2025
CM No. 2632/2025**

**Rakshanda Rashid th. Falak
Zahoor**

.....Appellant(s)/Petitioner(s)

Through: Ms. Himani Khajuria, Advocate

Vs

Union of India & Ors.

..... Respondent(s)

Through: Mr. Vishal Sharma, DSGI

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

**ORDER
(06.06.2025)**

- 01.** This Court in terms of an order dated 06.05.2025 came to direct the respondents to come forward with the reply/response to the writ petition which has come to be filed.
- 02.** It has been stated at bar by Mr. Sheikh Zahoor Ahmed, the husband of the petitioner that his wife i.e. petitioner has no one in Pakistan for her care and custody particularly when she is suffering from multiple ailments and her health and life is at risk with each passing day and left to fend for herself as abandoned.
- 03.** Human rights are the most sacrosanct component of a human life and, therefore, there are occasions when a

constitutional court is supposed to come up with SOS like indulgence notwithstanding the merits and demerits of a case which can be adjudicated only upon in due course of time and therefore, this Court is coming up with a direction to the Ministry of Home Affairs, Government of India to bring back the petitioner from her deportation.

- 04.** This Court is bearing in mind background that the reference that the petitioner was having LTV status at relevant point of time which *per-se* may not have warranted her deportation but without examining her case in better perspective and coming up with a proper order with respect to her deportation from the authorities concerned, still she came to be forced out.

- 05.** Given the exceptional nature of facts and circumstances of the case whereby the petitioner-Rakshanda Rashid wife of Sheikh Zahoor Ahmed has been purportedly deported to Pakistan in the recent drive undertaken by the Government of India post Pahalgam carnage, this Court is constrained to direct the Secretary, Ministry of Home Affairs, Government of India to retrieve the petitioner back to J&K, India so as to facilitate the reunion of the petitioner with her husband-Sheikh Zahoor Ahmed in Jammu.

- 06.** Needful compliance to be carried out within a period of 10 days from the date of passing of this order.
- 07.** List on **01.07.2025**.
- 08.** Compliance report be filed on **01.07.2025**.
- 09.** A copy of this order be provided to Mr. Vishal Sharma, learned DSGI appearing for the respondents under the seal and signature of Bench Secretary of this Court.

(RAHUL BHARTI)
JUDGE

JAMMU
06.06.2025
SUNIL

