

**(2011) 10 AHC CK 0131**

**Allahabad High Court**

**Case No:** Writ Petition No. 10152 (MB) of 2011

Tuphail and Another

APPELLANT

Vs

U.P. State Haj Committee and  
Others

RESPONDENT

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**Date of Decision:** Oct. 14, 2011

**Hon'ble Judges:** Uma Nath Singh, J; Anil Kumar, J

**Bench:** Division Bench

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### **Judgement**

1. We have heard learned counsel for parties and perused the pleadings of writ petitions.
2. Admittedly, petitioners in both these writ petitions are being deprived of opportunity to go as Haj pilgrims on account of unexplained delay in issuance of their passports.
3. During the course of hearing today, we deferred further proceedings so as to enable learned counsel for U.P. State Haj Committee, Sri Khaleeqe Ahmad, to seek instructions and find out as to whether there is any vacancy in State quota of Uttar Pradesh for accommodating the petitioners.
4. Learned counsel, after seeking instructions from Assistant Secretary of U.P. State Haj Committee, Sri Mohd. Javed Khan, states that the State of Uttar Pradesh has been provided the largest quota of 31,258 Haj pilgrims and the last flight for them to board for Saudi Arabia is scheduled, just after two days, for 16th October, 2011.
5. According to learned counsel, as on today, there is absolutely no vacancy to accommodate the petitioners, and hereafter, there shall be no any addition in the Haj flight from the U.P. State quota.
6. Looking to the background of these cases that the petitioners are being deprived of the opportunity for no fault on their part, we direct the U.P. State Haj Committee as well as the Central Haj Committee to find out the possibility of petitioners being

lodged in the last flight against other State quotas, and if there is none, then in the next year Haj, namely, of the year 2012, the petitioners shall be accommodated on priority basis on their applications being submitted in time and found to be in order.

7. Both these writ petitions are thus disposed of.