

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 21821/2024

[ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 12-09-2023
IN WPC NO. 17524/2022 PASSED BY THE HIGH COURT OF ORISSA AT
CUTTACK]

SECRETARY TO THE GOVERNMENT OF INDIA

PETITIONER(S)

VERSUS

M/S ASHA KIRAN CHARITABLE SOCIETY

RESPONDENT(S)

IA NO. 140303/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

Date : 13-07-2026 This matter was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s): Mr. Arvind Kumar Sharma, AOR

Mrs. Aishwarya Bhati, A.S.G.
Mr. Vikramjit Banerjee, A.S.G.
Mr. Abhishek Singh, Adv.
Mr. Advitiya Awasthi, Adv.
Mr. S.A. Haseeb, Adv.
Mr. Ameyavikrma Thanvi, Adv.
Mr. Shreya Jain, Adv.
Mr. Sachin Sharma, Adv.
Mr. Yogesh Vats, Adv.
Dr. N. Visakamurthy, AOR
Mr. Sunit Choudhary, Adv.
Ms. Shreya Jain, Adv.

For Respondent(s):

UPON hearing the counsel the Court made the following
O R D E R

The respondent-Society was served on 13.05.2025.
However, there is no appearance on behalf of the said
entity.

In the circumstances, we have heard learned

Additional Solicitor General (ASG) for the petitioner.

By intimation dated 15.04.2022, the renewal application made by the respondent-Society under Section 16(1) read with Section 12(4)(f)(vi) and Section 12(4)(f)(vi) of the Foreign Contribution Regulation Act, 2010 (for short, "the Act") was declined to the respondent-Society. The said intimation was assailed before the High Court in WP (C) No.17524 of 2022.

By the impugned order, dated 12.09.2023, the Division Bench of the High Court set aside the said intimation and allowed the Writ Petition.

Being aggrieved, the Union of India has preferred this Special Leave Petition.

We have heard learned ASG appearing for the petitioner. As noted above, there is no appearance on behalf of the respondent-Society.

Having heard learned ASG for the petitioner, we find that the interest of justice would be served in the instant case by setting aside the impugned order and reserving liberty to the respondent-Society to make a fresh application seeking permission for grant of registration under the provisions of the aforesaid Act.

It is needless to observe that if such an application for grant of registration is made by the respondent-Society, the same shall be considered on its own merits and *de hors* the earlier refusal dated 15.04.2022 which was also set aside by the Division Bench

of the High Court and in accordance with law.

If such an application is made by the respondent-Society, the petitioner herein shall make a fresh inspection and prepare a fresh report.

In the circumstances, having granted the aforesaid liberty, we set aside the impugned order.

The Special Leave Petition is disposed of in the aforesaid terms.

Pending application(s), if any, shall stand disposed of.

(B. LAKSHMI MANIKYA VALLI)
COURT MASTER (SH)

(DIVYA BABBAR)
COURT MASTER (NSH)