

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP (C) No. 3335/2023
CM No. 7995/2023

Asgar Ali Ganai

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

Through: Mr. Sheikh Manzoor, Adv.

Vs.

Union of India & Anr.

...Respondent(s)

Through: Ms. Rehana Qayoom, Adv. vice Mr Tahir Majid Shamsi, DSGI

CORAM:

HON'BLE MR. JUSTICE ATUL SREEDHARAN, JUDGE

ORDER
22.12.2023

The present petition has been filed by the petitioner who was issued a short term passport by the respondent-Union of India for the performance of a religious pilgrimage. The said passport was issued pursuant to an order passed by this Court on 10th March 2023.

In the earlier petition, the petitioner had approached this Court as the authorities were not issuing the passport to him on account of a criminal case that was pending against him before the court of competent jurisdiction. In that case, it was submitted by learned counsel for the petitioner that there was an office memorandum/guidelines issued by the Ministry of External Affairs on 10.10.2019 with respect to issuance of passports to persons against whom criminal case are pending. In the light of the said order passed by this Court, in WP (C) No. 473/2023, the respondent-Union of India issued a short term passport with one year validity.

Learned counsel for the petitioner further submits that the petitioner could not undertake the pilgrimage as the period to perform pilgrimage had lapsed and now he had approached the travel agent to secure visa to him to travel to Iran, Iraq and Syria for pilgrimage. However, as the period of validity of the passport was only three months, the travel agent informed the petitioner that there should be a minimum period of six months validity on the passport before his visa could be considered in his favour.

Under the circumstances, the present petition has been filed by the petitioner having a limited prayer of extending the period of passport by three months.

Learned counsel for the respondents submits that there is a procedure by which the period can be extended under Section 11 of the Passports Act whereby, the authority concerned can extend the period of validity of the passport. To this, learned counsel for the petitioner submits that such an application has already been given to the authority, but till date, there has been no response from the authority.

Under the circumstances, as the initial passport was already issued to the petitioner after verification of his antecedents by the CID, the validity of which is to be expired in three months time, this petition is disposed of with a request to the respondent-authorities to consider his application for extension of validity of his passport by three months as per rules. The application be considered within three weeks from the date of this order.

With the above, this petition is finally disposed of.

(ATUL SREEDHARAN)
JUDGE

SRINAGAR:
22.12.2023
Altaf