

Court No. - 40

Case :- WRIT - C No. - 39343 of 2023

Petitioner :- Asif Idrees

Respondent :- Union Of India And 2 Others

Counsel for Petitioner :- Istyak Khan

Counsel for Respondent :- A.S.G.I.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Shri Adnan Aamir, learned counsel for the petitioner and Shri Manish Pandey, learned counsel appearing on behalf of Union of India.

2. The present writ petition is preferred inter alia with following reliefs :-

"(i) issue a writ, order or direction in the nature of certiorari for quashing the impugned e-mail order dated 25.05.2022 passed by the respondent no. 2 by which the passport of the petitioner was impounded.

(ii) issue a writ, order or direction in the nature of mandamus commanding the respondent no. 2 to consider and decide the appeal dated 23.06.2022 submitted by the petitioner and the passport bearing No. P4461930 be returned by the Passport Officer to the petitioner within stipulated period."

3. Learned counsel for the Union of India raised an objection regarding the maintainability of the writ petition on the ground that the present writ petition is preferred with an inordinate delay of 435 days and secondly, appeal against the order impugned is pending consideration.

4. Confronted with this situation, learned counsel for the petitioner states that he is not pressing the first relief as his appeal is pending consideration. He states that the direction may be issued to the appellate authority to decide the appeal expeditiously.

5. Considering the facts and circumstances and without adverting to the merits of the case, the writ petition is **disposed of**, in case, the appeal is still pending consideration, the authority concerned is directed to decide the same within a period of six weeks from the date of production of certified copy of this order.

Order Date :- 16.11.2023

Rama Kant