

Court No. - 3

Case :- WRIT - C No. - 10290 of 2023

Petitioner :- Pradeep Kumar Dubay

Respondent :- U.O.I. Thru. Secy. Ministry Of External Affairs,
Govt. India, New Delhi And 2 Others

Counsel for Petitioner :- Vinod Kumar Tiwari

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

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Short counter affidavit filed by learned Standing Counsel on behalf of the respondent no.3 in Court today is taken on record.

Heard Sri Vinod Kumar Tiwari, learned counsel for the petitioner, learned Standing Counsel appearing of respondent no.3 as well as Sri S. B.Pandey, Senior Advocate assisted by Sri Varun Pandey, learned counsel appearing for respondent no.1 & 2.

The petitioner has approached this Court praying for a Mandamus commanding the respondent no.2 i.e. Regional Passport Officer, Lucknow to renew the passport of the petitioner. Case of the petitioner is that though there is no charge sheet filed against the petitioner but the police has given a negative report stating that a criminal case is pending against the petitioner.

In the short counter affidavit filed in Court today, it is stated by the Sub-Inspector concerned that though an FIR was lodged in the year 2007 under Sections 147, 379, 504 & 506 IPC against the petitioner but no charge sheet in the same has yet been submitted in the Court. Even the Case Diary is not traceable.

In the given circumstances, there does not appear any criminal

case pending before any criminal court against the petitioner.

In view thereof, petitioner is permitted to make a fresh application to respondent no.2 i.e. Regional Passport Officer, Lucknow raising his grievance, annexing all the documents in support of his claim within a period of one week from today, along with a certified copy of this order.

In case such an application is moved by petitioner, the respondent no.2 i.e. Regional Passport Officer, Lucknow is directed to consider the application of the petitioner treating that no criminal case is pending against the petitioner and passport application of the petitioner shall be disposed of without any delay within a period of four weeks from the date a certified copy of this order along with application is placed before him.

With the aforesaid directions, present writ petition is **disposed of**.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 13.12.2023

Manoj K.