

Serial No. 45
Regular cause list

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

...
CCP(S) 98/2025 in
[WP(C) 972/2024]

ABDUL RASHID SHAH.

.....Petitioner(s)

Through:
Mr. Sami Lone, Adv. vice
Mr. Syed Sajad Geelani, Adv.

Versus

DAVINDER KUMAR AND ANR. (REGIONAL PASSPORT OFFICE).

.....Respondent(s)

Through:
Mr. T. M. Shamsi, DSGI with
Ms. Rehana, Adv. for R. 1
Mr. Bikramdeep Singh, Dy. AG

CORAM:
HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
02.07.2025

1. The instant contempt petition arises out of an order/judgment dated 19.11.2024 whereby the writ petition preferred by the petitioner was disposed of with a direction to the respondent No. 3 to file verification report with the respondent No. 2 within a period of three weeks and subject to filing of the same the respondent No. 2 thereafter was directed to accord consideration to the case of the petitioner for issuance of the passport on merits within a period of four weeks thereafter and pass appropriate orders. Since the aforesaid order was not complied with, within the time granted by this court, the petitioner was constrained to file the instant contempt petition in which notice was issued on 15.04.2025.

2. The statement of facts stand filed on behalf of the respondent No. 3 in which the said respondent has taken a specific stand that the passport case of the petitioner was disposed of insofar as the respondent No. 3 was concerned as the factual report was forwarded to Regional Passport Officer on 18.09.2024 with the report that the petitioner was involved in case FIR No. 33/2012 under Section 5(1) E R/W 5(2) J&K PC Act SVT 2006 of PS ACB Srinagar, which at the time of filing of the reply was pending adjudication before the Apex Court under SLP No. 8055/2019. Thus in terms of the stand taken by the respondent No. 3 i.e., ADGP CID, the direction passed by this court dated 19.11.2024 stands complied with in its letter and spirit as the factual report has been shared with Regional Passport Officer, Srinagar on 14.05.2025.
3. The statement of facts also stands filed on behalf of respondent No. 1 in which a specific stand has been taken that a request has been made to J&K CID to furnish the PVR which has not been provided and is still awaited. This is the precise reason that the respondent No. 1 could not proceed further in the matter. The respondent No. 1 has further taken a specific stand that a clear PVR is required for issuance of passport and in the instant case the PVR already received was adverse against the petitioner and that is why fresh PVR was required in the instant case to proceed further in the matter. Thus in the light of the stand taken by the respondents 1 and 3, this court deems it proper to direct the learned counsel appearing on behalf of the respondent No. 3 to submit fresh verification report to the respondent No. 2 within a period of one week from today and also to apprise the respondent No. 2 with regard to the outcome of the SLP in the instant matter and subject to furnishing of the verification report within the aforesaid period and the outcome of

the said SLP, if any, the respondent No. 2 shall take a final call and accord consideration to the case of the petitioner for issuance of passport on merits within a period of two weeks thereafter and pass appropriate order in conformity with the order/judgment passed by this court dated 19.11.2024 passed in WP(C) No. 972/2024.

4. Accordingly the proceedings in the instant contempt petition stands closed. Rule, if any, shall stand discharged.
5. It is further made clear that in case the order of consideration goes against the petitioner, the petitioner will be at liberty to seek appropriate remedy under law.

Srinagar

02.07.2025

"SAKEENA-PS"

