

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) No. 1772 OF 2015

Ashok Motilal Saraogi ... Petitioner

Vs.

The State of Maharashtra & Anr. ... Respondents

Mr. Rajiv Narula a/w Ashok Sarogi i/b R. R. Varma, for the Petitioner.

Mr. M. P. Jadhav, AGP for Respondent No. 1.

Mr. D. M. Mishra, for Respondent No. 2.

CORAM : V. M. KANADE, &
B. P. COLABAWALLA, JJ.

DATE : JULY 3, 2015

PC.

1. The grievance of the Petitioner is that though, he applied for renewal of passport, his application has not been considered. Learned counsel appearing on behalf of Respondent No. 2 submits Petitioner will have to follow the guidelines of the notification and obtain order from the Court.

2. In our view, instead of relegating the Petitioner to approach the Magistrate before whom the cases are pending, we direct the Passport Authorities to consider his application for renewal of the passport, as prescribed by the notification, within two weeks. It is,

therefore, clarified that the passport authorities shall not rely on the rules framed under the Passport Act but renew the passport in accordance with the notification dated 23rd August, 1993 issued by the Ministry of External Affairs. The passport, therefore, may be renewed for a period of 10 years. It is, however, clarified that the Petitioner will have to obtain orders of the Magistrate in whose Court his criminal matters are pending, who has to permit the Petitioner to travel abroad subject to the conditions which may be imposed by him in accordance with law and as per the law settled by this Court in various judgments. Writ petition is disposed of in the aforesaid terms.

Sd/-

[B. P. COLABAWALLA, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemath