

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5898 OF 2015

Charuta Ashish Ingole

-vs-

Union of India, Ministry of External Affairs, New Delhi, thr.its Secretary and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mrs.R.S.Sirpurkar, counsel for the petitioner.
Mr. S.A.Chaudhari, counsel for the respondent Nos.1 to 3.
Mr. S.P Bhandarkar, counsel for the respondent No.4.

CORAM : SMT. VASANTI A. NAIK &
Z. A. HAQ, JJ.

DATE : 23.10.2015.

By this petition, the petitioner challenges the order of the Chief Passport Officer revoking the passport of the minor daughter of the petitioner.

Inter alia, it is submitted on behalf of the petitioner that the impugned order is liable to be set aside, as the Chief Passport Officer had not heard the petitioner before revoking the passport of the minor daughter.

Shri Chaudhari, the learned counsel appearing for the respondent Nos.1 to 3, states on instructions that the petitioner was not heard before the impugned order was passed.

In the circumstances the case, it was necessary for the Chief Passport Officer to have heard the petitioner before revoking the passport of the minor daughter of the petitioner.

Hence, we partly allow the writ petition. The impugned order is quashed and set aside. The respondent, Chief Passport Officer is entitled to take decision on the appeal filed by the respondent No.4 after hearing the petitioner and the respondent

No.4, in accordance with law. It is, however, made clear that since the Chief Passport Officer would be required to take a fresh decision in the matter of the revocation of the passport of the minor daughter of the petitioner, the petitioner is not permitted to utilize the passport till the appeal is decided by the Chief Passport Officer. The Chief Passport Officer is directed to decide the appeal as early as possible and positively within a period of two weeks after the conclusion of hearing. The parties are directed to appear before the Chief Passport Officer on 2nd of November, 2015 so that issuance of notice to the parties could be dispensed with.

Order accordingly. No costs.

JUDGE

JUDGE

KHUNTE