

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

121+257

CM No.7042 of 2015 and
Civil Writ Petition No.20025 of 2014

Date of Decision: May 25, 2015

Kuldeep Kaur

...Petitioner

Versus

Regional Passport Officer, Passport Authority, Sector 34-A, Chandigarh.

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vineet Chaudhary, Advocate
for the applicant-petitioner.

Mr. Vivek Singla, Advocate
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the respondent has stated that since the record pertaining to the first passport issued to the petitioner is more than ten years old, the same has not been retained and has been weeded out. He, however, states that the scanned record is available, printout of which has been produced in Court. On the basis of the scanned record, he contends that the first passport was issued to the petitioner but there is nothing available on record, which would indicate that the petitioner has used the first passport for travelling. He further contends that the second passport bearing No.F1039377 has been used by the petitioner on various occasions to travel abroad but there is nothing adverse as far as the records are concerned against the petitioner except that she had earlier been issued a passport, which fact was not disclosed by the petitioner while applying for the second passport and for renewal of the same.

Counsel for the petitioner, on the other hand, asserts that the petitioner is an illiterate lady and merely thumb marks the documents. She doesn't even know how to affix her signatures. The earlier passport would have been applied by her son namely Karamjeet Singh, who unfortunately has expired prior to the petitioner applying for the second passport and, therefore, did not know the details of the earlier passport as the same was never received by the petitioner. He further contends that the petitioner had on expiry of her second passport No.F1039377, applied for renewal of the same, which has not been accepted on the ground that the earlier a passport has been issued to her, which fact was not disclosed in the renewal application and at the time when the second passport was applied for. He contends that there is no intentional withholding of information on the part of the petitioner and, therefore, she should not be denied the benefit of renewal of the passport.

Keeping in view the peculiar facts and circumstances and especially taking into consideration the submission of the counsel for the respondent that there is nothing adverse with regard to the conduct of the petitioner, the present writ petition is allowed. Direction is issued to the Regional Passport Officer, Chandigarh to renew the passport of the petitioner within a period of four weeks from today.

The scanned record, as has been produced, is returned to the counsel for the respondent.

Copy of this order be given *dasti* to the counsel for the parties under signatures of the Bench Secretary of this Court.

May 25, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE