

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.1385 OF 2016

Noor Ahmed Abdul Mutalik Deshmukh

-vs-

Union of India, through Ministry of External Affairs, New Delhi and ors

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

Court's or Judge's Orders.

Mr.Mir Nagman Ali, counsel for the petitioner.
Mrs.Mugdha Chandurkar, counsel for R-2.
Mr.A.K. Bangadkar, AGP for R-3.

CORAM : SMT. VASANTI A. NAIK &
V. M. DESHPANDE, JJ.

DATE : MARCH 18, 2016.

By this writ petition, the petitioner challenges the letter dated 3.11.2015 issued by the respondent No.2-Regional Passport Officer, Nagpur to the petitioner rejecting his application for grant of passport.

It is stated on behalf of the petitioner that the application made by the petitioner for grant of passport was wrongly rejected on the ground that the brother of the petitioner, namely Jahur Ahmed, was a member of unlawful organizations including SIMI. It is stated that it is not the case of the police authorities that any case is registered against the petitioner for being the member of an unlawful organization. So also, it is stated that though the brother of the petitioner was prosecuted under the provisions of the Bombay Police Act, he was discharged.

When this matter came up for hearing on 26.2.2016, the learned counsel for the respondent No.2 had made the statement that the respondent No.2 would

re-consider the case of the petitioner if the petitioner submits written explanation. In view of the statement made by the learned counsel for the respondent No.2, the matter was adjourned.

Mrs. Mugdha Chandurkar, the learned counsel for the respondent No.2 states on instructions that after the petitioner submitted his written explanation, the matter was referred to the respondent No.3 for fresh verification. It is stated that the respondent No.2 has not received any report from the respondent No.3, as yet.

Shri A.K. Bangadkar, the learned Assistant Government Pleader for the respondent No.3 states that if the verification report is not submitted by the respondent No.3 to the respondent No.2, the same would be submitted within a period of two weeks. The learned counsel for the respondent No.2 states that as soon as the police verification report is received by the respondent No.2, a fresh order on the application of the petitioner would be passed.

By accepting the statements made on behalf of the respondent Nos.2 and 3, which would be binding on them, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE

!! BRW !!