

SR. No. 248

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

CWP No. 26271 of 2015

Date of decision: 28.04.2016

Kulwant Singh

.....Petitioner

versus

Union of India and others

.....Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Arvinder Singh, Advocate
for the petitioner.

Mr. Indresh Goel, Advocate
for respondents No. 1 and 2.

Rakesh Kumar Jain, J.(Oral)

The petitioner had allegedly applied for the passport in the year 2000 vide File No. C/005874 but at that time no passport was issued to him on that file. Again he had applied for passport in which he gave his Date of Birth(DOB) as 19.12.1981 and Passport No. F 1249381 was issued to him on 19.11.2004, which had expired on 18.11.2014. The petitioner has travelled to Kenya, Malaysia and Thailand with Passport No. F 1249381 and applied for renewal of the passport vide receipt no. CH4F14317772186 on 28.05.2014. The respondents authority refused to re-issue the passport on the ground that in the year 2000 when the petitioner had applied for passport he had given his DOB as 19.02.1981 instead of 19.12.1981.

Counsel for the petitioner has submitted that since no passport was issued to him with DOB 19.02.1981 and has been issued the passport with the DOB 19.12.1981, therefore, he is

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seeking renewal of his passport in which his DOB is 19.12.1981 is recorded.

Counsel for the respondents has submitted that respondent No. 2 got the verification from respondent No. 3 about the DOB of the petitioner who has mentioned that there is no documentary evidence of the DOB of the petitioner.

I have heard learned counsel for the parties and after examining the available record, am of the considered opinion that in such type of case where the petitioner has not availed the benefit of issuance of passport on the basis of its DOB which is different from the DOB on which he has been granted passport by the passport authority and which has been used by him continuously for 10 years and an application has been filed for renewal of the passport on the same DOB, the respondent passport authority should not have any hitch in issuing the passport on renewal to the petitioner who has undertaken before this Court that he will keep his DOB as 19.12.1981 for all intents and purposes.

Disposed of.

28th April, 2016

Shivani Kaushik

**[Rakesh Kumar Jain]
Judge**