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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 5391/2016 & CM APPL. 22490/2016

MUNEESH SHARMA AND ORS Petitioners
Through: Mr. Karan S. Thukral, Advocate with
Mr. Rohit Yadav, Advocate.

versus

UNION OF INDIA AND ANR Respondents
Through: Mrs. Bharathi Raju, Advocate for
respondents No.1 and 2.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **02.06.2016**

CM Appl. 22490/2016 (exemption) in W.P.(C) 5391/2016

Allowed, subject to just exceptions.

W.P.(C) 5391/2016

Present writ petition has been filed seeking a direction to respondents to restore Passports of the three petitioners bearing Nos. J2127605, G5409658 and M3690141.

It has been averred in the petition that petitioners are Indian citizens who are presently residing in Dubai and whose Passports have allegedly been impounded under Section 10(3)(e) of the Passports Act, 1967 in pursuance to an FIR having been registered on account of a matrimonial dispute between the petitioner No.1 and his wife.

Learned counsel for petitioners states that respondents have impounded the Passports of the petitioners without giving any prior notice and without appreciating the fact that as of today no criminal case has been registered inasmuch as only an investigation is pending in pursuance to an FIR having been filed.

On the other hand, Mrs. Bharathi Raju, learned counsel for respondents, who appears on advance notice, states that the current Passport of petitioner No.1 has not been revoked and is valid. She states that by the impugned order, the petitioner's No.1 expired Passport has been revoked!

However, Mrs. Bharati Raju raises a preliminary objection to the maintainability of the writ petition on the ground of territorial jurisdiction. She points out that FIR in question has been registered in Jammu and the Regional Passport Officer, Jammu, has taken steps to impound the Passports.

In view of the aforesaid objection with regard to the territorial jurisdiction of this Court, learned counsel for petitioners wishes to withdraw the present writ petition with liberty to file appropriate proceedings in a Court having territorial jurisdiction.

With the aforesaid liberty, present writ petition is disposed of.

However, the statement made by learned counsel for respondents qua the Passport of petitioner No.1 is accepted by this Court and respondents are held bound by the same.

MANMOHAN, J

JUNE 02, 2016

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