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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3717 OF 2016**

Aasif Shoukat Shaikh	... Petitioner
Vs.	
The Government of India	... Respondent

Mr. Manas Mohanty i/by Mr. Nitin Lala Rajguru for the Petitioner.
Mr. P.G. Gujar for the Respondent No.1.

**CORAM : A.S. OKA &
ANUJA PRABHUDESSAI, JJ.**

DATE : 6th MARCH, 2017

P.C.

1 The learned counsel appearing for the petitioner does not dispute that against the order refusing to grant passport to the petitioner, a statutory appeal has been preferred by the petitioner which is pending.

2 In view of the pendency of the Appeal, we decline to entertain this Writ Petition under Article 226 of the Constitution of India filed for the relief which is substantively claimed in Appeal. If the Appeal is still pending, the petitioner can agitate all grounds taken in this Petition in the pending Appeal. We may note here that the stand

taken in the affidavit of Shri. Atul Malhari Gotsurve, Regional Passport Officer, Pune is that there is no Appeal preferred by the petitioner.

3 Even if there is no Appeal preferred by the petitioner, in view of the availability of statutory remedy, Writ Petition cannot be entertained.

4 Accordingly, Writ Petition has been disposed of.

(ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)