

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

CWP No.17600 of 2016
Date of decision : 15.02.2017

Bholan Rani

...Petitioner

Versus

Union of India and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

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

Mr. Indresh Goel, Advocate for the respondent No.2.

AMIT RAWAL, J. (Oral)

The petitioner has approached this Court by filing the present writ petition for the issuance of writ in the nature of mandamus directing the respondent No.2 to issue passport to the petitioner by correcting the place of birth from Jalandhar to Sultanpur Lodhi, District Kapurthala on the premise that while filling the form for obtaining the passport, instead of place of birth as Sultanpur Lodhi, Kapurthala, Punjab, inadvertently and bonafidely been mentioned as Jalandhar.

Petitioner had already been issued passport bearing No.J3225304 wherein the place of birth has been shown as Jalandhar. Passport has been issued w.e.f. 27.04.2011 to 26.04.2021. However on realising that her actual place of birth is Sultanpur Lodhi, Punjab, in this regard, she filled up form on 18.05.2016 by giving place of birth but the same has been rejected by the respondent on account of the concealment of the fact. The petitioner submits that decree in this regard had already been obtained at Civil Court. Copy thereof has been attached as Annexure P-1 i.e.

judgment and decree dated 25.04.2016 in Civil Suit No.207 of 2015.

Mr. Indresh Goel, learned counsel appearing on behalf of respondent No.2 submits that mistake cannot be bona fide as petitioner had been a teacher. She is 63 years old. She should know what is wrong and right. It cannot be termed as a bona fide mistake and rightly so, the appointment has not been given for correcting the place of birth.

I have heard learned counsel for the parties and appraised the paper book and of the view the grievance of the petitioner is most innocuous and bona fide though passport is valid upto the year 2021 realising the mistake she had moved application in the year 2016 for correction of the same by attaching the proof of place of birth. In my view, petitioner had been very fair and honest in disclosing the fact aforementioned which should have been appreciated by the passport authorities. Reply is silent with regard to the indulgence of the petitioner in other illegal and nefarious activities. Resultantly, mandamus is issued directing the respondent No.2 to issue the corrected passport to the petitioner with a corrected place of birth as Sultanpur Lodhi, Kapurthala, Punjab instead of Jalandhar.

Let this exercise be done within a period of one month from the date of receipt of certified copy of this order.

With the aforementioned observations, present writ petition stands allowed.

15.02.2017

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(AMIT RAWAL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No