

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.2885 of 2016 (O&M)

Date of Decision.09.05.2017

Sandeep Singh

.....Petitioner

Vs

Union of India and others

.....Respondents

Present: Mr. Mohinder Kumar, Advocate
for the petitioner.

Mr. Vivek Singla, Advocate
for respondent Nos.1 and 2.

Mr. Yatinder Sharma, Addl. A.G., Punjab.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

The grievance of the petitioner in the present writ petition is to the letter dated 25.03.2015 (Annexure P-6) whereby the passport application bearing No.AS1067891421214 has been rejected on the ground that genuineness of the birth certificate has been found to be incorrect.

Learned counsel appearing on behalf of the petitioner submits that in pursuance of the aforementioned application, passport bearing No.M1025156 was issued by the Passport Authority, Amritsar valid w.e.f. 12.08.2014 to 11.08.2024 but now the same has been cancelled on account of reasons indicated in the impugned letter.

He has drawn attention of this Court to paragraph 7 of the written statement filed by respondent Nos.1 and 2, which reads as under:-

“7. That the contents of para 7 of the writ petition are wrong, hence denied. The passport of the petitioner was cancelled on a letter dated 08.12.2014 received from respondent No.3 and only after thorough verification, the passport was cancelled and the file was closed of the petitioner. However, on

21.04.2015, a letter dated 15.04.2015 was received from the office of Civil Surgeon, Tarn Taran with the remark that the said Birth Certificate is genuine and the letter dated 08.12.2014 was sent inadvertently due to work load and newly appointed dealing Assistant.”

He further submits that now as per the verification received from the office of Civil Surgeon vide letter dated 03.03.2015, the birth certificate was found to be genuine.

Mr. Singla, learned counsel appearing for respondent Nos.1 and 2 submits that in view of the aforementioned fact, the petitioner has to submit a fresh application for obtaining the passport, as the passport with aforementioned number has been cancelled. In case, the application is submitted by the petitioner afresh, the department will consider the same and issue the passport if the application is found in order, much less, in view of the stand taken in the written statement.

In view of the aforementioned stand taken by the respective parties, the impugned order is quashed and the writ petition is disposed of with a direction that in case the application is submitted by the petitioner with all complete documents as per the requirements of respondent authority and found to be in order and genuine, the passport authority shall issue the passport in accordance with law.

(AMIT RAWAL)
JUDGE

May 09, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No