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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3458/2017 and CM No. 15134/2017

PREETI SINGH

..... Petitioner

Through

Mr. Vishwendra Verma and
Mr. Pranav Verma, Advocates

versus

UNION OF INDIA & ORS

..... Respondents

Through

Mr. Rajesh Gogna, Adv. for R-1 & 2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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05.05.2017

W.P.(C) 3458/2017 and CM No. 15134/2017 (for condonation of delay in re-filing the present petition)

1. The petitioner, by the present writ petition, seeks a direction to respondent nos. 1 and 2 i.e. the passport authorities to revoke the passport of respondent no.3. It is alleged that respondent no.3 has obtained the passport by misstatement and misrepresentation.

2. Learned counsel for the petitioner submits that despite the petitioner having brought it to the notice of the passport authorities, no action is being taken on the complaint of the petitioner.

3. Learned counsel for respondent nos. 1 and 2 submits that under Section 10 of the Passports Act, 1967, discretion is vested with the passport authority to impound or cause to be impounded or revoke a

passport. He further submits that no *mandamus* can be issued to the passport authority, more so, in a case of a private dispute, to revoke the passport. He further submits that at best, the petitioner can be permitted to make a representation to the passport authorities seeking revocation of the passport of respondent no.3.

4. At this stage, learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present writ petition with liberty to file a representation with the respondent nos. 1 and 2.

5. In view of the above, the writ petition is dismissed as withdrawn with the liberty as prayed for.

6. The order on the representation of the petitioner shall be communicated to the petitioner.

7. It is clarified that this court has neither examined nor expressed any opinion on the merits of the contentions of the petitioner and the passport authority is at liberty to dispose of the representation of the petitioner in accordance with law, without being influenced by anything stated in this order.

SANJEEV SACHDEVA, J

MAY 05, 2017
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