

\$~45 & 54

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 11135/2017**

TENZIN GAWA

..... Petitioner

Through: Mr Simarpal Singh Sawhney and Mr
Sidhant Krishan Singh, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr Dev P. Bhardwaj, CGSC with Mr
Satya Prakash Singh, Advocate for
UOI.

AND

+ **W.P.(C) 11161/2017**

LOBSANG CHODAK

..... Petitioner

Through: Mr Simarpal Singh Sawhney and Mr
Sidhant Krishan Singh, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr Dev P. Bhardwaj, CGSC with Mr
Satya Prakash Singh, Advocate for
UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

15.12.2017

CM No.45563/2017 in W.P.(C) 11135/2017**CM No.45723/2017 in W.P.(C) 11161/2017**

1. Allowed, subject to all just exceptions.

W.P.(C) 11135/2017**W.P.(C) 11161/2017**

2. Issue notice. Learned counsel for the respondents accepts notice.

3. The petitioners have filed the present petitions, *inter alia*, praying that

directions be issued to the respondents for issuing passport(s) to the petitioners.

4. Learned counsel for the petitioners state that the passport(s) have been denied to the petitioners on the ground that they are currently residing in Tibetan Refugee Settlement area.

5. The learned counsel for the petitioners state that it has been communicated to the petitioners that passport(s) would be issued only on the petitioners leaving the designated Tibetan Refugee Settlements.

6. The issue involved in this case is squarely covered by the decision of this Court in *Tamding Dorjee v. Govt. of India, Ministry of External Affairs: W.P.(C) 7577/2017, decided on 07.11.2017*.

7. For the reasons stated in the above mentioned case, the present petition is allowed and the respondents are directed to process the respective applications for passport(s) filed by the petitioners as expeditiously as possible and in any event within a period of six weeks from today. The applications shall be processed uninfluenced by the area(s) in which the petitioners reside. The petitioners shall also surrender their RC/IC within the aforesaid period to the concerned authority.

8. The petitions are disposed of with the aforesaid observations.

9. Order *dasti* under signatures of the Court Master.



VIBHU BAKHRU, J

DECEMBER 15, 2017
MK