

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

CWP No.27396 of 2017
Date of Decision:29.05.2018

Lovepreet Singh

. Petitioner

Vs.

Union of India and others

. Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.D.S. Sandhu, Advocate,
for the petitioner.

Mr.Karan Singh, Advocate,
for the respondents.

RAKESH KUMAR JAIN, J.

The petitioner is a student of Class VII of the City Public School, Jalandhar. He was born to Rajwant Kaur and Daler Singh, who are having live in relationship because Rajwant Kaur is a widow and Daler Singh is already married. It is alleged that the school of the petitioner has organized an educational trip to USA. The petitioner would also be taken to NASA and other institutions. Since the petitioner was not holding a passport, therefore, he applied for it in 'Tatkal Scheme' but it has allegedly been declined on the ground that the name of the spouse of Daler Singh is mentioned as Harjit Kaur, who is the actual wife of Daler Singh, but his parents are Rajwant Kaur and Daler Singh who have though not been married but are living together.

Learned counsel for the petitioner has submitted that the passport cannot be refused on this ground because it is not prescribed as a ground of refusal in Section 6 of the Passports Act, 1967 [for short 'the

In this case, notice was issued on 01.12.2017 and at that stage, Mr.S.K. Sharma, Advocate, who was present in Court, had accepted notice on behalf of the respondents and secured time to seek instructions. Thereafter, no one put in appearance on 11.05.2018 and the Court had to request Mr.Chetan Mittal, Assistant Solicitor General of India to assist the Court on the next date of hearing. The case was ordered to be shown in urgent list. On the next date of hearing, Mr.Karan Singh, Advocate, had put in appearance on behalf of the respondents. Since no order has been passed by the passport authority and no reply has been filed to the writ petition as to why the passport has not been issued to the petitioner, therefore, at this stage, it would be just and expedient to issue a direction to the passport authority/respondent No.2 to pass an appropriate order, in case the passport is not to be issued to the petitioner or in case there is no difficulty in the issuance of the passport, the same shall be issued forthwith. The entire exercise shall be completed by respondent No.2 within a period of 15 days from the date of receipt of certified copy of this order.

Disposed of.

29.05.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking /reasoned : Yes/No

Whether Reportable : Yes/No