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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1811/2018 & CM No.7423/2018**

JASPREET KAUR

..... Petitioner

Through : Mr. Harpreet Singh Popli and Mr.
Deepak Niwan, Advs.

versus

CHIEF PASSPORT OFFICER & ANR Respondents

Through : Ms. Monika Arora, CGSC.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **26.02.2018**

CM No.7423/2018 (exemption)

1. Allowed, subject to just exceptions.

W.P.(C) 1811/2018

2. Issue notice. Ms. Monika Arora accepts notice on behalf of respondents.

3. Learned counsel for the petitioner says that at the moment, the petitioner's only grievance is that complaints filed *vis-a-vis* her husband, Mr. Simranjeet Singh, have not been addressed. These complaints were filed by

the petitioner, who is the wife of Mr. Simranjeet Singh, on 3.11.2015 and 24.11.2017.

4. A perusal of the petition would show that the matrimonial relationship between the petitioner and her husband/ Mr. Simranjeet Singh, appears to have soured.

4.1 As a matter of fact, it appears that proceedings are pending adjudication between the two, in the Mahila Court (West), Tis Hazari Court.

4.2 Since, Mr. Simranjeet Singh has kept himself away from the proceedings, he has been declared a proclaimed offender.

4.3 Mr. Simranjeet Singh, according to the petitioner, is presently, residing in Australia.

5. It is in these circumstances that the petitioner has approached the respondents for impounding of her husband/Mr. Simranjeet Singh's passport under the provision of Section 10(3)(e) of the Passport Act, 1967.

6. Having regard to the aforesaid, the respondents are directed to dispose of the aforementioned pending complaints filed by the petitioner against her husband/Mr. Simranjeet Singh. While doing so, the respondents shall take into account the assertions made in the present writ petition, which would be treated as a representation. Needless to say that respondents will act with due expedition. The exercise will be completed at the earliest, though not later than 10 weeks from today.

7. While coming to a decision one way or the other, respondents will, however, accord opportunity of personal hearing, both to the petitioner and her husband/ Mr. Simranjeet Singh. Since, Mr. Simranjeet Singh is said to be residing in Australia, a realistic time frame will be granted to him. If convenient and feasible, he could be accorded a hearing via video conferencing.

8. In this behalf, a written notice will be served on Mr. Simranjeet Singh, if necessary via the Indian Embassy in Australia.

9. The respondents will pass a speaking order, and if, the petitioner is still aggrieved, she will have liberty to take recourse to an appropriate remedy, *albeit*, in accordance with law.

RAJIV SHAKDHER, J

FEBRUARY 26, 2018

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