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

+ **W.P.(C) 5282/2018**

ANURAG OJHA

..... Petitioner

Through: Mr. Kamlesh Kr. Mishra, Advocate
(M-9582388509).

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr. Prasanta Varma, Senior Central
Govt. Counsel with Ms. Shalu
Goswami, Advocate (M-9560462901)
along with Mr. Prince Raushan, Jr.
Asst., Passport Office.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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06.06.2018

CM APPL. 25041/2018 in W.P.(C) 5282/2018

1. The Petitioner has moved the present petition seeking the following directions:

“In the facts and circumstances stated herein above, it is most respectfully prayed that this Hon’ble Court may graciously be pleased to:

a. Issue a writ, order or direction in the nature of mandamus commanding the Respondent No.1 to issue the passport to the petitioner.

b. Issue a writ, order or direction in the nature of mandamus commanding the Respondent No.1 to cause the departmental inquiries to be made qua the cause of inaction on the part of Respondent in non issuance of passport and based on which disciplinary proceedings be initiated against the errant public officials.

c. Pass such other order or orders as this Hon'ble Court may deem fit in the facts and circumstances of the case."

2. The brief background is that the Petitioner applied for a passport on 28th August, 2017 through the online portal along with the payment of the requisite fee. He appeared before the Passport Office Seva Kendra, ITO, New Delhi along with the requisite papers. The papers were verified by the Passport Office. Thereafter, on 13th October, 2017, the Police verification was also completed. The counsel for the Respondents also confirms that the Police verification has been completed. The Petitioner has thereafter followed up regularly with the Passport Office but has not been communicated the reasons for non-issuance of the passport. The present Writ Petition was listed on 16th May, 2018 when the matter was renotified for 29th May, 2018 and thereafter adjourned to 5th December, 2018.

3. In the meantime, the Petitioner has moved the present application CM 25041/2018 on the ground that the Petitioner wishes to pursue his post-graduate studies in a foreign institution in the academic year 2018-19 and wishes to apply for the Fullbright scholarship for his post-graduate studies.

4. Counsel for the Respondents upon instructions from Mr. Prince Raushan, Junior Assistant Passport Officer, submits that the reason why the passport has not been issued is because there is a discrepancy between the place of birth mentioned in the application and in the birth certificate. The counsel for the Respondents fairly submits that the village where the Petitioner was born is Piptao (Bharari-II), District Bharatganj, Allahabad. In one document the name of the village is mentioned, whereas in the other document, place of birth is mentioned as Allahabad. The Petitioner is willing

to appear before the Passport Officer and clarify the position if he is afforded a personal hearing.

5. Under these circumstances, in order to ensure that there is no further delay in the issuance of passport to the Petitioner, the Petitioner shall appear before the Passport Office, ITO, New Delhi on 8th June, 2018 at 11.30 AM. He shall be afforded a hearing and upon verification of his place of birth, the processing for the issuance of the passport shall be done by the Respondents. After conducting due verification, if everything is found in order, the passport shall be issued without further delay, preferably within a week. If the passport is not being issued, for any reason, the reasons shall be communicated to the Petitioner.

6. The petition is accordingly disposed of. All the pending applications also stand disposed of. If there is any difficulty, the Petitioner is given liberty to approach the Court.

7. Next date i.e. 5th December, 2018 stands cancelled.

8. A copy of this order be given *dasti* under signature of the Court Master.

PRATHIBA M. SINGH
(VACATION JUDGE)

JUNE 06, 2018

Rahul