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

+ **W.P.(C) 7292/2018**

ASHOK KUMAR SHARMA

..... Petitioner

Through: Mr B. P. Singh, Mr Ankur Yadav and
Mr Vikas Poonia, Advocates.

versus

**THE REGIONAL PASSPORT OFFICER AND
ORS.**

..... Respondents

Through: Mr Vinod Diwakar, CGSC with Mr
Sanjay Pal, Advocate for UOI.
Mr Sanjeev Bhandari, Special Public
Prosecutor, CBI/R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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19.07.2018

CM No.27855/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 7292/2018

2. The petitioner has filed the present petition, *inter alia*, praying as under:-

“a) Issue a writ of mandamus or any appropriate writ, direction/s, order/s thereby directing the Respondents to renew the passport of the Petitioner in the larger interest of the justice.”

3. The petitioner had made an application for renewal of his passport in May/June, 2014. However, before the formalities could be completed, the petitioner was convicted under the Prevention of Corruption Act on 12.09.2014 and was subsequently sentenced to undergo rigorous imprisonment for a period of three years with a fine of ₹10 lakhs. The petitioner has filed an appeal against the said decision before this court

(Criminal Appeal No.1464/2014) and the sentence awarded to the petitioner has been temporarily suspended.

4. The petitioner once again applied for renewal of the passport facilities on 03.10.2017 and was informed that his application has been put on hold for want of No Objection Certificate from the concerned Court.

5. On 31.10.2017, the petitioner applied for permission from this Court for renewal of his passport. In the said proceedings, respondent no.3 (CBI) took the stand that no such permission was required as the petitioner was already convicted.

6. In the aforesaid context, the petitioner filed a representation before the Passport Authorities. Since the petitioner did not receive any response to the same, he filed the present petition.

7. The respondents state that by an order dated 17.07.2018 the petitioner's request for issuance of a passport has been rejected under the provisions of Section 6(2)(e) of the Passport Act, 1967. A copy of the said order has also been handed over to the learned counsel appearing for the petitioner.

8. In view of the above, the present petition does not survive, the same is disposed of.

9. It is clarified that the petitioner would not be precluded from challenging the order dated 17.07.2018 in accordance with law.

VIBHU BAKHRU, J

JULY 19, 2018/MK