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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 08.08.2018

CONT.CAS(C) 580/2018

JASPREET KAUR

..... Petitioner

versus

**ARUN K CHATTERJEE, CHIEF PASSPORT
OFFICER**

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Harpreet Singh Popli, Mr. Mukul Giridhar, Mr. Anuj Yadav and
Mr. Deepak Diwan, Advocates
For the Respondent : Ms. Monika Arora, CGSC with Mr. Harsh Ahuja and Mr. Vibhu
Tripathi, Advocates

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

J U D G M E N T

SIDDHARTH MRIDUL, J (ORAL)

CM APPL.31201/2018 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly. \

CONT.CAS.(C) 580/2018

1. The present petition under Section 2,10 and 12 of the Contempt of Courts Act, 1971 has been instituted on behalf of the petitioner praying as follows:-

“In view of the above, it is most respectfully prayed that this Hon’ble Court may kindly be pleased to:

- a) Hold the respondent guilty of contempt of court for deliberate and willful violations of the order/directions of this Hon’ble Court dated 26.02.2018 passed in W.P.(C) No.1811 of 2018 titled as “*Jaspreet Kaur vs. Chief Passport Officer & Anr.*”, and punish the contemnors as per law; and
- b) Pass such other or further order(s) as this Hon’ble Court may deem fit and proper in the facts and on the circumstances of the case in favour of the petitioner and against the respondent.”

2. Learned counsel appearing on behalf of the petitioner invites my attention to paragraphs 6,7,8 and 9 of the order passed by this Court on 26.02.2018, disposing of the Writ Petition (Civil) No.1811/2018, titled as “*Jaspreet Kaur vs. Chief Passport Officer & Anr.*”.

3. It would be profitable to extract the aforementioned paragraphs for the effective adjudication of the instant contempt petition, which are as under:-

“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.”

4. It is urged by learned counsel appearing on behalf of the petitioner that the directions contained in the above extracted paragraphs have not been complied with.

5. Ms. Monika Arora, learned Central Government Standing Counsel appearing on behalf of the official respondent, on advance notice, invites my attention to a communication dated 06.04.2018, annexed as Annexure P-13, in the present contempt petition, to state that, they have informed the petitioner about the renewal of Mr. Simranjeet Singh’s Passport, on the 25.07.2017, by the Consulate General of India in Australia.

6. In this regard, it is observed that, the petitioner has been directed by way of the said communication dated 06.04.2018, to contact the Consulate

General of India in Australia in this regard.

7. In my view, the said communication does not in any manner, reflect compliance with the direction issued by this Court vide the said order dated 26.02.2018.

8. At this stage, Ms. Monika Arora, learned Central Government Standing Counsel states that, they shall comply with the express directions, contained in the paragraphs above extracted, in letter and spirit, and pass a reasoned and speaking order, in terms of the directions issued by this Court vide the said order dated 26.02.2018, after affording an opportunity of being heard to the parties expeditiously and positively within a period of six weeks from today.

9. Directed accordingly.

10. With the above directions, the petition is disposed of.

**SIDDHARTH MRIDUL
(JUDGE)**

AUGUST 08, 2018

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