

\$~39

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

+ W.P.(C) 11604/2015 & CM No. 30718/2015

SONAM YANGCHEN MAJA

..... Petitioner

Through: Mr Jayant Tripathi, Ms Nayantara
Roy and Mr Dinesh Dahiya,
Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Kamal Kant Jha, Sr. Panel
Counsel, GOI with Mr Siddharth Jha,
Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **03.12.2018**

1. The petitioner was born in India on 10.01.1981 and by virtue of Section 3 of the Indian Citizenship Act, 1955, is a citizen of India by birth. The petitioner's parents are of Tibetan origin. The petitioner's grievance is that the petitioner's application for a passport has not been accepted by the concerned authorities. The learned counsel appearing for the petitioner has also drawn the attention of this court to the online appointment receipt, which bears a noting by the concerned Regional Passport Officer to the effect that the petitioner is required to take a nationality certificate from the Ministry of Home Affairs before he can apply for a passport.
2. This controversy is squarely covered by the earlier decisions of this Court in *Namgyal Dolkar v. Government of India, Ministry of External*

Affairs: (2010) 120 DRJ 749; Tamding Dorjee v. Govt. of India Ministry of External Affairs: WP(C) 7577/2017; Phuntsok Wangyal v. Ministry of External Affairs: (2016) 233 DLT 745; and Karma Gyaltsen Neyratsang v. Union of India 2017 SCC Online Del 10163.

3. In view of the above decisions, the present petition is allowed. Respondent no.3 is directed to process the petitioner's application for a passport. The petitioner shall surrender the Identity Certificate and Registration Certificate to the competent authority and the competent authority is directed to accept the same.

4. The petition and the pending applications are disposed of.

VIBHU BAKHRU, J

**DECEMBER 03, 2018
MK**