

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 26869 of 2019

O R D E R:

In this writ petition, grievance of the petitioner is that respondent No.2 is not considering his application for re-issuance of his passport bearing No.L1418589.

On instructions, Sri B.Jitender, learned counsel appearing for respondent No.2 submits that the case of the petitioner for issuance of passport is not being considered on account of the fact that C.C.No.552 of 2014 on the file of IX Additional Chief Metropolitan Magistrate, Hyderabad is pending against him and he was requested to furnish the status of the case and as the same was not furnished, his application is kept pending.

On the other hand, learned counsel for the petitioner submits that the de facto complainant did not pursue C.C.No.552 of 2014 filed against the petitioner under Section 138 read with Section 142 of the Negotiable Instruments Act. He further submits that as a matter of fact, the petitioner settled the dispute with the de facto complaint in the above said C.C.

In view of the above, this Court called for information from the Court of IX Additional Chief Metropolitan Magistrate, Hyderabad with regard to the status of the above said C.C. and as per the information provided, the case file in the said C.C., along with the batch cases was returned to the Advocate on 30.09.2014 on the point of jurisdiction and thereafter, the same was not re-presented.

In other words, as on date, there is no criminal case pending against the petitioner.

In those circumstances, the writ petition is allowed directing respondent No.2 to process the application of the petitioner, if the same is otherwise in order in all respects.

Miscellaneous Petitions, if any pending, shall stand disposed of. There shall be no order as to costs.

Dt:12.12.2019

kdl

CHALLA KODANDA RAM, J

