

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-11512-2019 (O&M)
Date of Decision:15.07.2019**

Dharam Singh

... Petitioner

Versus

Passport Seva Kendra, Jalandhar

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Kanwar Pahul Singh, Advocate for the petitioner.

....

TEJINDER SINGH DHINDSA, J. (ORAL)

Pleadings on record would indicate that vide order dated 04.07.2016 issued by the Passport Office, Jalandhar, the passport facility was denied to the petitioner. Such action was put to challenge by the petitioner by filing an appeal under Section 11 of the Passports Act, 1967.

The short grievance raised in the instant writ petition is that even though the Appellate Authority has approved processing of the passport application of the petitioner as per communication dated 27.07.2018 (Annexure P-2), yet no final decision has been taken by the Passport Office, Jalandhar and in any case nothing has been conveyed to him.

The order dated 27.07.2018 issued by the Appellate Authority in the appeal filed by the petitioner under Section 11 of the Passports Act, 1967 would be relevant to the prayer raised in the instant petition and the same is reproduced hereunder:

“To,

*Shri Dharam Singh,
S/o Shri Nishaan Singh,*

*Village.-Nurpur, P.O.-Chor Sidhwan,
Distt.- Gurdaspur.
Punjab – 143521.*

*Subject - Appeal under Section 11 of the Passports Act,
1967-regarding*

Please refer to ministry letter No.VII/402/App-07/2017 dated 8.5.2017 regarding your appeal preferred before the Chief Passport Officer challenging the impugned order No.JAL079293160815/POJ/MRG dated 04.07.2016 issued by the Passport Office, Jalandhar, denying passport facility to you on the ground of political asylum sought by you during your stay abroad.

2. As informed therein, this Ministry had filed a Leave Petition Application (LPA-13/2016) before the Division Bench of the Hon'ble High Court of Delhi Following the judgment delivered in LPA/13/2016, 141/2016, 159/2016 on 12 January, 2018, the undersigned as the Appellate Authority, as per the provisions u/s 11 of the Passports Act, 1967, hereby approves processing of your passport application by the Passport Office, Jalandhar.

3. You are requested to contact the Passport Office in Jalandhar in this connection.

Yours sincerely,

*(Arun Kumar Chatterjee)
Joint Secretary (PSP) & CPO
Tel: 011-23387013
Fax: 011-23071370
Email: jscpo@mea-gov.in”*

Counsel would submit that no further progress has been made in the matter and that he would be satisfied if the writ petition was to be disposed of with a direction to the respondent to take a final decision in the matter against the backdrop of a representation dated 22.02.2019 (Annexure P-3).

Prayer made by counsel is found to be just and reasonable.

In view of the above and without going into the merits of the case, I deem it appropriate to dispose of instant writ petition with a direction to the respondent to examine the representation dated 22.02.2019 at Annexure P-3 in the light of order dated 27.07.2018 passed by the Appellate Authority and as reproduced hereinabove.

A final view may be taken and communicated to the petitioner expeditiously and in any case within a period of two months from the date of receipt of a certified copy of this order.

Disposed of.

15.07.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |