

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-19950-2019

Date of Decision:-19.12.2019.

Mamta

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Ms. Sushma Chopra, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab, for respondent No.1.

Ms. Saigeeta Srivastava, Advocate for respondent Nos.2 and 3.

SANJAY KUMAR, J. (Oral)

Reply filed by Mr. Luvinder Sofat, learned Assistant Advocate General, Punjab, is taken on record.

The grievance of the petitioner is with regard to the notice dated 25.11.2014 (Annexure P-5) issued by the Regional Passport Officer, Jalandhar, the 3rd respondent, whereby he called upon the petitioner to provide an explanation with regard to the adverse police verification report submitted against her.

It is the case of the petitioner that she earlier filed CWP-2021-2017 assailing the very same notice dated 25.11.2014 (Annexure P-5) and the said writ petition was dismissed as withdrawn on 29.08.2017. While dismissing the said writ petition, this Court observed that the petitioner was at liberty to respond to the aforestated notice. The petitioner

claims that she submitted her reply to the notice dated 25.11.2014 in

September, 2017 but despite the same, no decision has been taken thereon.

Ms. Saigeeta Srivastava, learned counsel for the respondent-passport authorities, would inform this Court that no reply was received from the petitioner in September, 2017, as claimed by her.

This Court does not propose to enter into the realm of the controversy as to whether or not the petitioner already submitted her reply. It would suffice if the petitioner is given one more opportunity to do so at this stage, so that the authorities concerned can consider the same and take appropriate action thereon.

The writ petition is accordingly disposed of permitting the petitioner to submit her reply to the notice dated 25.11.2014 (Annexure P-5) within two weeks from today. In the event a reply is so filed, the same shall be considered on its own merits and in accordance with law. If the authorities concerned are of the opinion that the petitioner would be entitled to issuance of a passport, it is open to them to either act upon the application already made or call for a fresh application from the petitioner, as per due procedure. The authorities shall do the needful expeditiously and in any event, not later than three months from the date of receipt of a reply from the petitioner.

No order as to costs.

(SANJAY KUMAR)
JUDGE

December 19, 2019.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.