

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21837-2018 (O&M)
Date of decision : 02.04.2019

Ishwar Dass

...Petitioner

Versus

Union of India and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Saqib Ali Khan, Advocate,
for Mr. Deepak Goyal, Advocate,
for the petitioner(s).

Mr. O.P. Dabla, Sr. Panel Counsel,
for the respondents.

JITENDRA CHAUHAN J. (ORAL)

CM-15503-CWP-2018

CM application is allowed as prayed for and the reply appended therewith is taken on record.

Main case

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ of Mandamus directing the respondents to re-issue the passport to the petitioner after necessary correction with regard to place of birth of the petitioner.

Learned counsel states that at the time of making application for issuance of Passport (Annexure P-2), inadvertently, place of birth of the petitioner was mentioned as Pipaltha, Haryana instead of Bahadurgarh, SAS

Nagar, Mohali as reflected in the date of birth certificate (Annexure P-1) issued by the Health and Family Welfare Department, Punjab. It is submitted that the petitioner had given correct information, however, the computer operator inadvertently entered the wrong information. The petitioner is not involved in any FIR. He does not gain anything in circulating incorrect information. The incorrect entry regarding place of birth is unintentional. As and when it came to the notice of the petitioner, he approached the Passport authorities. The passport originally issued to the petitioner was never used.

Heard.

Considering the fact that the petitioner never used the passport issued to him and as per his assertion, he is not involved in any FIR and enjoys clean antecedents, respondent No.3 is directed to look into the representation (Annexure P-4) and issue passport, in case, the petitioner enjoys clean antecedents as asserted by him within a period of six weeks thereafter. However, in case the competent authority finds that the petitioner does not enjoy clean antecedents and thus, the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

02.04.2019

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No