

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25745-2018 (O&M)
Date of decision : 01.02.2019

Sandeep Braich

...Petitioner

Versus

Union of India and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rohit Rana, Advocate,
for Mr. Nikhil K. Chopra, Advocate,
for the petitioner.

Mr. Sudhir Nar, Sr. Panel Counsel,
for the respondents.

JITENDRA CHAUHAN J. (ORAL)

CM-984-CWP-2019

CM application is allowed as prayed for and written statement on behalf of the respondents appended therewith, is taken on record.

Main case

This writ petition under Articles 226/227 of the Constitution of India has been filed, *inter alia*, for issuance of a writ of Mandamus directing the respondents to issue/renew the passport of the petitioner.

Contents that the application for renewal of the passport was declined on the ground that the address reflected in the first passport dated

29.07.2008 and the application for renewal thereof are at variance. It is submitted that the petitioner earlier had been residing with his parents on the address as mentioned in the original passport. However, after getting married, the petitioner has raised his own house in Palam Vihar Colony, Nakodar. This fact stands duly communicated to respondent No.2. On the verification got done by the State, it has surfaced that in fact, the petitioner is adopted son of Shri Jit Ram. Learned counsel states that necessary papers along with duly sworn affidavit has been furnished to respondent No.2. However, when no response was received, legal notice dated 14.08.2018 (Annexure P-7), was served upon the respondents. Till date, no action has been taken thereupon. Learned counsel further submits that at this stage, he would be satisfied, in case, the respondents are directed to re-consider the claim of the petitioner in the light of legal notice (Annexure P-7) and all other documents furnished by him

Learned counsel for the respondents states that he will have no objection if such a direction is issued to the respondents.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2- Regional Passport Officer, Jalandhar, to consider the matter afresh after considering legal notice dated 14.08.2018 (Annexure P-7) and other documents furnished by the petitioner, expeditiously, preferably, within six weeks from the receipt of the certified copy of the judgment. In case, on

consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

01.02.2019
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(JITENDRA CHAUHAN)
JUDGE

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