

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

**CWP-28786-2018 (O&M)
Date of Decision:15.01.2019**

Ramandeep Kaur

... Petitioner

Versus

Union of India & another

... Respondents

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

Present: Mr. V.K. Shukla, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioner claims herself to be the adopted daughter of Sh. Ajmer Singh Brar. She submitted an application online for issuance of a fresh passport dated 31.10.2017 to the Regional Passport Officer, Passport Office, Jawahar Nagar, Jalandhar by incorporating her father's name as Sh. Ajmer Singh. It has been averred that the petitioner was given appointment for hearing on 01.11.2017 in the office of respondent No.2. After perusal of her application, respondent No.2 is stated to have informed the petitioner orally that since the adoptive father Sh. Ajmer Singh is unmarried as such she cannot be issued an Indian passport by reflecting the adoptive father's name as Sh. Ajmer Singh.

Grievance raised in the instant petition is two fold. It is contended that no order/communication has been issued to the petitioner as regards rejection of her application and as such the action is arbitrary. Counsel further submits that there would be no provision under the Passports Act, 1967 which prohibits for issuance of a passport to an Indian

citizen whose adoptive father is unmarried.

Counsel informs the Court that the petitioner has already served a Notice of Demand upon respondent No.2 dated 08.10.2018 (Annexure P-9) and in which detailed submissions and grounds have been raised against the oral rejection as also calling upon respondent No.2 to furnish to the petitioner a rejection in writing, if there be any.

Counsel submits that he would be satisfied if the instant writ petition were to be disposed of at this stage with directions to respondent No.2 to take a final decision on the Notice of Demand dated 08.10.2018 (Annexure P-9) within a stipulated time frame.

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

Accordingly, without even ascertaining the correctness of the averments made in the petition and without going into the merits of the case, the instant petition is disposed of with a direction to respondent No.2 to examine the Notice of Demand dated 08.10.2018 (Annexure P-9) strictly in accordance with law and as per provisions of the Passports Act, 1967 and thereafter to take a final decision thereupon within a period of six weeks from the date of receipt of a certified copy of this order.

Disposed of.

15.01.2019

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**(TEJINDER SINGH DHINDSA)
JUDGE**

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