

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

**CWP-5053-2017 (O&M)
Date of Decision: 26.02.2019**

Puneet Bedi & others ... Petitioners
Versus

Regional Passport Officer & another ... Respondents

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

Present: Mr. Manish Jain, Advocate with
Mr. Mayur Kanwar, Advocate for the petitioners.

Mr. P.S. Sidhu, Advocate for respondent No.1.

Mr. Akashdeep Miglani, Advocate for
Mr. IPS Mangat, Advocate for respondent No.2.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking quashing of communication dated 28.11.2016 (Annexure P-1) that has been issued by the Allahabad Bank and addressed to the Regional Passport Officer and in terms thereof, the passports of the petitioners stand impounded. Challenge has also been laid to the order dated 12.07.2016 (Annexure P-2) issued by the Regional Passport Officer, Ministry of External Affairs, Government of India and which stands addressed to the Assistant General Manager, Asset Recovery Management Branch, Bank Square Sector 17, Chandigarh and whereby information has been supplied as regards impounding of the passports in terms of the order passed by the Debt Recovery Tribunal.

Counsel for the parties have been heard.

It has gone uncontroverted that the action of impounding of the passports of the petitioners has been taken on the strength of an order dated

08.08.2013 passed by the Debt Recovery Tribunal at Annexure P-3. Perusal of the order dated 08.08.2013 (Annexure P-3) issued by the Debt Recovery Tribunal-II, Chandigarh would reveal that the defendants therein (petitioners) had been called upon to surrender their passports to the concerned Passport Officer within one week from the date of publication of the order.

Concededly, the order dated 08.08.2013 at Annexure P-3 has never been put to challenge by the petitioners at any stage by taking out appropriate proceedings. Such order is not assailed even in the present writ petition.

Under such circumstances, this Court would not entertain the submission advanced by Mr. Jain, learned counsel for the petitioners that the Debt Recovery Tribunal lacked jurisdiction and authority to issue any directions to the petitioners as regards surrender of their passports to the concerned Passport Officer.

The impugned orders at Annexures P-1 and P-2 are infact consequential communications to the order dated 08.08.2013 (Annexure P-3) passed by the Debt Recovery Tribunal.

Under such circumstances, the challenge to Annexures P-1 and P-2 in the instant petition is not well founded.

Petition is dismissed.

Needless to observe that it would be open for the petitioners to take out appropriate proceedings against the order dated 08.08.2013 (Annexure P-3) passed by the Debt Recovery Tribunal, Chandigarh as may be available in accordance with law.

26.02.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No