

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

CWP No.30938 of 2018

Date of decision:-17.01.2019

Deepak Kumar

.....Petitioner

versus

Union of India and another

.....Respondents

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

Present:- Mr. Varun Sharma, Advocate for the petitioner.

Mr. Ajay Kalra, Central Government Counsel
for respondents.

TEJINDER SINGH DHINDSA, J.(ORAL)

Notice of motion.

On the asking of the Court, Mr. Ajay Kalra, Central Government Counsel, accepts notice on behalf of respondents. A complete copy of the petition has been handed over to him.

In view of the order that I intend to pass there would be no requirement for filing of a reply to the petition.

Petitioner assails a communication dated 19.07.2018, issued by the office of the Regional Passport Office, Jalandhar and on the subject- "clarifications required regarding issuance of passport facilities to Deepak Kumar".

It is the contention raised by counsel representing the petitioner that he had visited the office concerned for furnishing the clarification on 13.11.2018 alongwith a representation/requisite documents but the same was not entertained on the pretext that the clarification was to be offered within a period of 07 days from the date of issue of the communication dated 19.07.2018. It is contended

that the communication in fact was received by the petitioner only on 13.11.2018 and as such the time period stipulated therein had already elapsed and the petitioner without losing any further time had proceeded to the office concerned on 13.11.2018 itself.

Having argued the matter at some length, counsel submits that he is not assailing the action of the respondent authorities insofar as calling upon the petitioner to offer clarification. He confines the scope of the instant writ petition only for issuance of directions to the respondent authorities to examine the clarification/representation that the petitioner has to offer and to thereafter take a decision thereupon strictly on merits.

Such limited prayer is not even opposed by counsel representing the respondent authorities.,

In view of the above, the challenge to the communication dated 19.07.2018 (Annexure P-6) is declined.

Liberty however, is granted to the petitioner to submit his clarification/explanation/representation in response to the communication dated 19.07.2018 (Annexure P-6) within a period of 10 days from today.

Respondent No.2 is directed that in the eventuality of the petitioner appearing and submitting his clarification/explanation/representation alongwith supporting documents within the afore-stipulated time period, the matter would be examined on merits and a final decision would be taken in accordance with law and be communicated to the petitioner.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

17.01.2019
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No