

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 259 of 2020**

(Arising out of order dated 04.03.2020 passed by learned Single Judge in WPCR- 64 of 2020)

Neelam Chandrakar S/o Babulal Chandrakar Aged About 43 Years R/o House No. 154, Purana Bazar Chowk, Ward No. 08, Near Ram Mandir, Kurud, Dhamtari, District Dhamtari, Chhattisgarh.

----Appellant**Versus**

1. Union of India Through Its Secretary, Ministry of External Affairs, Government of India, South Block, New Delhi.
2. Regional Passport Officer Regional Passport Office, 1st Floor, Commercial Complex, Sector-4, Pandit Deen Dayal Upadhyay Nagar, Raipur, Chhattisgarh.
3. State of Chhattisgarh Through The District Magistrate, Dhamtari Chhattisgarh.

-----Respondents

For Appellant	: Shri Vivek Shrivastava, Advocate.
For UOI	: Shri Shri Himanshu Pandey, Advocate on behalf of Shri B. Gopa Kumar, Assistant Solicitor General.
For State	: Shri Gagan Tiwari, Dy. GA.

**Hon'ble Shri PR Ramachandra Menon, Chief Justice &
Hon'ble Shri Justice Parth Prateem Sahu
Order on Board**

Per PR Ramachandra Menon, CJ
19.03.2020

1. The appeal is against the verdict dated 04.03.2020 passed by the learned Single Judge. The grievance is with regard to non renewal of the passport of the petitioner. The order passed by the Courts below was subjected to challenge by filing the writ petition wherein the present order under challenge has been passed by the learned Single Judge.
2. The appeal is by invoking the remedial terms of Section 2(1) of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006. By virtue of the specific proviso under Section 2(1) the appeal is not maintainable in respect of proceeding or order passed in exercise of jurisdiction under Article 227 of the Constitution of India.

3. In the said circumstance, we hold that the appeal is not maintainable. Accordingly, the appeal stands dismissed. However, it is made clear that this is without prejudice to the rights and liberties of the appellant to pursue other appropriate remedy in accordance with law.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge