

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.7657 OF 2014

ORDER

This writ petition is filed seeking the following relief:

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings passed by the 2nd respondent dated 27.02.2014 as illegal, arbitrary, unconstitutional and contrary to the provisions of Passports Act, 1967 and vitiated by lack of competence and jurisdiction under the Act and set aside the said order and further direct the 2nd respondent to return the petitioner's passport bearing No.L 2775134 and pass such further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard learned counsel on either side.

Challenging the impounding of the passport of the petitioner, the present writ petition is filed.

This Court *vide* order dated 28.04.2014 directed the 2nd respondent to release passport of the petitioner subject to certain conditions.

Learned counsel appearing for the petitioner contended that the petitioner had complied with the conditions imposed by this Court. Since a CBI case is pending against the petitioner, he is approaching the competent CBI Court at Delhi as and when he intends to travel abroad and is complying with the conditions stipulated. It is further

contended that in view of the interim order granted by this Court on 28.4.2014, no further orders are necessary in this writ petition.

Learned Assistant Solicitor General appearing for the respondents contended that let the petitioner approach the competent CBI Court as and when he intends to travel abroad and obtain necessary orders from the CBI Court.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of making the interim order granted on 28.4.2014 absolute. It is made clear that the petitioner has to approach the CBI Court and seek necessary permission whenever he intends to travel abroad.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 14.2.2020

rkk

