

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.3391 of 2020
Date of Decision:14.02.2020

Mandip Kumar through his father Nirmal Singh, Special Power of Attorney
Holder.

.....Petitioner

Versus

Union of India and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Ms. Aakansksha Sawhney, Advocate
for the petitioner.

Mr. Vijay Chaudhary, Advocate
for respondents no.1 and 2.

LISA GILL, J(Oral).

Prayer in this writ petition is for quashing of order/intimation dated 16.01.2020 (Annexure P-5), issued by respondent no.2, whereby the petitioner's passport bearing No. S8740195, issued on 09.07.2018, was impounded under Section 10(3) (h) of the Passports Act, 1967.

It is submitted that the respondent-authorities, misdirected themselves in impounding the petitioner's passport vide order dated 16.01.2020 (Annexure P-5) on the ground that he has concealed the factum of warrants of arrest/summons, issued by the Court of law. It is submitted that the petitioner's passport was issued on 09.07.2018 after renewal thereof. FIR No. 68, under Sections 323, 376, 406, 498-A, 506, 511 IPC, Women Police Station, Yamuna Nagar, was registered on 08.04.2019. Therefore, there is no question of the petitioner not disclosing the registration of the

abovesaid FIR, which is admittedly an event subsequent to the issuance of the passport on 09.07.2018.

Learned counsel for respondents no.1 and 2, at the very outset submits that order dated 16.01.2020, is an appealable order and in case, the petitioner, who is in Ireland, submits his appeal by e.mail., the same shall be entertained and decided expeditiously in accordance with law.

Keeping in view the facts and circumstances as above, it is considered appropriate that the petitioner at the first instance should file his appeal under Section 11 of the Passports Act. In case, the appeal is submitted by the petitioner through e.mail., within one week from today, the same be entertained and decided by the competent authority in accordance with law within two weeks thereafter. Appellate Authority, shall also consider the prayer for interim relief, if sought at the time of filing the appeal.

Writ petition is accordingly disposed of.

14.02.2020
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.