

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CWP No.10045 of 2020 (O&M)
Date of decision: 06.08.2020

Harmanpreet Singh Parmar

.....Petitioner

versus

Union of India & Anr.

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Rishabh Gupta, Advocate for the petitioner.

Ms. Shweta Nahata, Advocate for UOI.

Ms. Maloo Chahal, DAG, Punjab-
respondent No.2.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

Petitioner-Harmanpreet Singh Parmar stated to be aged 34 years, has filed the present petition *inter alia* with a prayer to quash the impugned show cause notice dated 26.05.2020 and email/intimation dated 26.05.2020 (Annexure P-6) issued by respondent No.1, with further prayer to direct respondent No.1 to renew/re-issue the passport of the petitioner.

Records of the case show that on 20.07.2020, notice of motion in this case was issued.

Learned counsel for the petitioner based on pleadings submits that the petitioner was issued passport on 16.12.2003 by the Regional Passport Officer at Jalandhar. The expiry date of the said passport was 15.12.2013. He then submits that he had applied for renewal of the passport on

14.03.2020. Learned counsel further makes reference to paragraph 13, sub para F of the petition to submit that the wife of the petitioner being Permanent Resident Card of Canada is in the family way and is living along in Canada without there being anybody to look after her at such a time and the petitioner's presence by the side of her wife is warranted on humanitarian grounds. The medical certificate is also attached as Annexure P-10. He, however, submits that the expected date of delivery is given as 20.09.2020, therefore, he submits that the petitioner urgently needs to reach Canada within this month i.e. August, 2020.

In response to order dated 20.07.2020, learned State counsel, on instructions from Inspector Govinder Kumar, SHO, City Hoshiarpur, submits that he has received a communication through WhatsApp, which has been shared with the Admin of the Video Conferencing Group. The said communication dated 01.08.2020, is sent by the Munshi of Thana, City Hoshiarpur to Chief Officer/SHO Thana, City Hoshiarpur.

Learned counsel for the petitioner by making reference to para 3 of the communication, submits that this should be treated as positive recommendation to respondent No.1 to consider and grant renewed passport to the petitioner. He further prays for six days time to submit a written representation along with translated copy of this communication to the Competent Authority. He submits that he will include all submissions and grievances made and the relief prayed in the writ petition i.e. for renewal of passport.

Learned counsel for UOI-respondent No.1, submits that she

would have no objection, if such a representation is submitted and this Court issue directions to the Competent Authority, to decide the representation in accordance with law in a time bound frame.

In view of the peculiar facts as noticed above, respondent No.1- Regional Passport Office Jalandhar, is directed to examine the communication sent by the Police Authorities/respondent No.2. It is further directed to the Regional Passport Office Jalandhar, to look into the above representation and the translated copy of the communication sent by the petitioner and take a decision on the same as expeditiously as possible, maximum within two weeks from today, *dehors* impugned order Annexures P6 and P9.

At this stage, learned counsel for the petitioner makes a request that he may also be granted liberty to approach the Trial Court, where FIR is pending to go abroad.

Considering the prayer, in the meantime, the petitioner is also granted liberty to approach the Trial Court, where FIR is pending, to go abroad.

With the aforementioned directions, writ petition is disposed of.

Registry of this Court and the respective counsel are also directed to forward the order of this Court through e-mail to the concerned authorities for necessary compliance.

(GIRISH AGNIHOTRI)
JUDGE

06.08.2020

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No