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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5200/2020 & CM APPL. 18766/2020**
KHIM BAHADUR

..... Petitioner

Through: Mr.Kawaljit Singh Bhatia, Adv.

versus

THE PASSPORT OFFICER AND ANR & ANR.

..... Respondents

Through: Mr.Dev P Bhardwaj, CGSC for UOI.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **16.09.2020**

This petition has been heard through video conferencing.

This petition has been filed by the petitioner primarily challenging the communication dated 29.07.2020 of the respondent no.1 whereby the petitioner was informed that as per the Police Verification Report (PVR) on his passport application, he was not found residing at the address given in the application. The petitioner asserts that though, the said communication called upon the petitioner to visit the Regional Passport Office alongwith original documents, inspite of repeated attempts, he was not given an appointment for the said purpose, forcing him to file the present petition. In the petition, the petitioner further relies upon the Office Memorandum dated 26.10.2018 to submit that in terms thereof, the police authorities are required only to confirm that the applicant is a citizen of India and there are no criminal proceedings against the applicant. The Adverse Report on other grounds, cannot be considered by the respondents.

The respondents have filed a counter affidavit wherein it is stated that a doubt had arisen on the nationality of the petitioner and in view of the Report of the petitioner not being found at the address, the communication dated 29.07.2020 was addressed to the petitioner. The respondent have further stated that in a Report now received, it has been reported that the petitioner could not satisfy the police authorities regarding his nationality.

The learned counsel for the petitioner submits that the petitioner is in possession of documents to prove his nationality and that the Report of the police authorities is incorrect.

In view of the above, the respondent no. 1 is directed to grant an opportunity of personal hearing to the petitioner on 21.09.2020 at 11:00 a.m. The petitioner shall be entitled to produce all documents in support of his Indian nationality before the respondent no. 1. The respondent no. 1 upon consideration of these documents, shall pass a speaking order. The petitioner shall be entitled to challenge the said order, if adverse to the petitioner, in accordance with law.

The petition is disposed of with the above directions.

A copy of this order be sent to the learned counsels for the parties on their e-mail address provided.

NAVIN CHAWLA, J

SEPTEMBER 16, 2020/rv