

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 436 of 2021**

Farida Mohsin Ali, Wife of Mohsin Ali Vanak, aged about 75 years, R/o Medical Complex, Telipara, Bilaspur, District Bilaspur (C.G.)

---- Appellant**Versus**

1. Union of India, Through Secretary (PSP), Ministry of External Affairs, New Delhi.
2. Chief Passport Officer, Ministry of External Affairs, New Delhi, PSP Division, Ministry of External Affairs, Room No. 27, Patiala House, Tilak Marg, New Delhi – 110001.
3. Passport Officer, Raipur Regional Passport Office Raipur, 1st Floor, Commercial Complex, Sector-4, Pandit Deen Dayal Upadhyay Nagar, Raipur, District Raipur (C.G.)
4. Passport Officer, Lucknow Regional Passport Office Lucknow, Passport Bhawan, Vipin Khand, Gomti Nagar, Lucknow (Uttar Pradesh) – 226010.

---- Respondents

(Cause-title taken from Case Information System)

For Appellant	:	Ms. Hamida Siddiqui, Advocate.
For Respondents	:	Mr. Ramakant Mishra, Assistant Solicitor General.

Hon'ble Shri Arup Kumar Goswami, Chief Justice**Hon'ble Shri Justice N.K. Chandravanshi, Judge****Judgment on Board****Per Arup Kumar Goswami, Chief Justice****13.12.2021**

Heard Ms. Hamida Siddiqui, learned counsel for the appellant. Also heard Mr. Ramakant Mishra, learned Assistant Solicitor General appearing for the respondents.

2. Challenge in this appeal is to an order dated 05.10.2021 passed by the learned Single Judge in Writ Petition (C) No. 3578 of 2021, the operative portion of which reads as under:

“4. Primary reading of the documents which are attached with this petition would show that the petitioner is in possession of the Voter Identity Card, Aadhar Card bearing No. 6576 5222 1704 and Pan card. The documents further shows that passport was also issued to the petitioner on the earlier occasion right from 1975 which was renewed from time to time. Considering the age of the petitioner as she is 75 years of age and if consideration of issuance of passport is on hold for considerable period then it may cause irreparable injury to the petitioner in the backdrop of the facts. Considering the same, the respondents are directed to consider the application for reissuance of the passport as per the mandate and requirement of Passport Rules, 1980 and the J.S. (CPV), PSP Division New Delhi is directed to look into the matter to issue necessary direction forthwith within a period of 2 weeks from today for reissuance of the passport to the petitioner.”

3. Learned counsel for the appellant submits that after passing of the aforesaid order, a letter dated 11.11.2021 was issued by the Regional Passport Officer, Raipur seeking clarifications with regard to issuance of passport facilities alleging suppression of material information. It is submitted by her that there is no suppression of material information and the appellant was granted passport long back on 25.03.1975 and the same was renewed on six occasions.

4. It is further submitted that the present passport is valid up to 12.02.2022 and only because all the pages of the passport have been exhausted because of travels abroad, the necessity had arisen for issuance of a fresh passport as the appellant intends to travel to Bangladesh.

5. Having regard to the fact that the learned Single Judge has directed the respondents to decide the issue within a period of two weeks, we are of the opinion that no interference is called for with regard to the aforesaid order in this appeal.

6. Ms. Siddiqui submits that the appellant would respond to the letter dated 11.11.2021 within a period of seven days from today.

7. In that view of the matter, this writ appeal is disposed of providing that within a period of two weeks from the date of response to the letter dated 11.11.2021, the respondents will consider the application in terms of the order of the learned Single Judge.

Sd/-
(Arup Kumar Goswami)
Chief Justice

Sd/-
(N.K. Chandravanshi)
Judge