

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7530 of 2021

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Syed Naushad Un Nabi son of Late Syed Fakhrun Nabi resident of Mohalla -
Kantapar Gagandewan, Ward No. 23, Police Station- Biharsharif, District-
Nalanda.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of External Affair, Delhi (India).
2. The Regional Passport Officer, 2nd and 3rd Floor, D- Block, Maurya Lok Complex, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Sajid Salim Khan, Adv.
For the Respondent/s : Mr.Manoj Kumar Singh (CGC)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 21-07-2022 The present writ petition has been filed for directing the respondents to consider the explanation furnished by the petitioner on 12.12.2020, in response to the clarification sought by the Passport Officer as to why the petitioner has not disclosed about the criminal cases pending against him.

The learned counsel for the petitioner submits that on account of inadvertence, since the petitioner had taken the help of a Cyber cafe for the purpose of filing the connected application online, details regarding criminal cases pending against the petitioner were inadvertently not mentioned, however, it has been submitted that an explanation has been filed on 12.12.2020, explaining therein the actual facts as also the status of the pending criminal cases.



The learned counsel for the petitioner has further submitted that at least the Passport Officer is required to take a final decision with regard to grant/ denial of passport to the petitioner.

Per contra, the learned counsel for the respondents has submitted that after the explanation was submitted by the petitioner, the same has been sent to the Superintendent of Police for verification and the final decision would definitely be taken by the Passport Officer within a stipulated time frame.

Accordingly, the present writ petition stands disposed of with a direction to the respondent no.2 to take a final decision with regard to grant/ denial of passport to the petitioner, considering the law on the subject matter as also taking a sympathetic view, in as much as it is the case of the petitioner that he requires passport for the purposes of performing Haj and Umrah. It is expected that needful decision shall be taken, in accordance with law, within a period of eight weeks of the receipt/ production of a copy of this order.

(Mohit Kumar Shah, J)

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