

AD. 188 & 189.
June 17, 2022.
MNS.

(Assigned)

WPA No. 19832 of 2021

Nayan Biswas
Vs.
The Union of India and another

With

WPA No. 20177 of 2021

Ms Shital Singhania @ Mitruka
Vs.
The Union of India and another

Mr. Kanishk Sinha

...for the petitioner in both the matters.

Mr. Avinash Kankani

...for the Union of India.

Re: **WPA No. 19832 of 2021**

Affidavit-of-service filed in Court today be kept
on record.

Mr. Avinash Kankani, a practising advocate in
this Court who is physically present in court today, is
requested to appear in the matter on behalf of the
respondent authorities.

The respondent authorities shall duly
regularize the appearance of Mr. Kankani in the
present matter.

Learned counsel for the petitioner contends
that the passport of the petitioner has been
impounded by the respondent authorities and,
thereafter, a show cause notice was issued on July 1,

2019. The petitioner has given a reply thereto, according to learned counsel for the petitioner, which is annexed at page 14 (Annexure – P3) of the writ petition. That apart, the petitioner has also given a further representation through his Advocate, which is annexed at page 19 of the writ petition.

Upon hearing learned counsel for both sides, WPA No. 19832 of 2021 is disposed of by directing the respondent authorities to decide on the representations given by the petitioner, annexed at pages 14 and 19 of the present writ petition, if necessary, upon giving an opportunity of hearing to the petitioner, as expeditiously as possible, preferably within four weeks from date and communicate the decision thereon taken by the respondent authorities to the petitioner at the earliest thereafter.

There will be no order as to costs.

Re : **WPA No. 20177 of 2021**

Affidavit-of-service filed in Court today be kept on record.

Mr. Avinash Kankani, a practising advocate in this Court, is requested to appear in the matter on behalf of the respondent authorities.

The respondent authorities shall duly regularize the appearance of Mr. Kankani in the present matter.

Learned counsel for the petitioner contends that the passport of the petitioner has been impounded by the respondent authorities without issuing show cause notice to the petitioner. A representation was given by the petitioner in such context, which is annexed at page 26 (Annexure- P7) of the writ petition. The prayer of the petitioner is that the representation may be considered duly by the respondent authorities.

Upon hearing learned counsel for the parties, WPA No. 20177 of 2021 is disposed of by directing the respondent authorities to consider and dispose of the representation of the petitioner, annexed at page 26 of the writ petition, as expeditiously as possible, positively within three weeks from date. In the event the respondent authorities deem it fit to issue a show cause notice to the petitioner pursuant to the representation, the same shall be issued by the respondent authorities at the earliest after coming to a decision on the representation, preferably within a week thereafter.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)