

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.26956 OF 2022

Malaya Kumar Swain

....

Petitioner(s)
Mr.A.Dash,Adv.

-versus-

Union of India and others

....

Opposite Party(s)
Mr.P.K.Parhi,DSGI
Mr.S.Mishra,ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
18.10.2022

Order No.

01.

1. Heard learned counsel for the Parties.
2. The grievance of the Petitioner appears to be pursuant to a communication by the Passport Authority in response to the application of the Petitioner for renewal of Passport vide Annexure-5 requiring the Petitioner to meet with the short comings shown therein, Petitioner has already submitted response vide Annexure-6 in the Writ Petition and alleges even after filing of the response along with necessary documents and a copy of judgement of this Court claiming to be supporting the case of the Petitioner, the Regional Passport Officer, Opposite party No.2 is not showing any finality to such dispute. As a consequence, the Petitioner is suffering immense. Accordingly a Writ of mandamus is sought against Opposite Party No.2 directing to complete the proceeding involved herein within time frame.

3. Mr.Parhi, learned Deputy Solicitor General of India in his response submitted for the pendency of the request of the Petitioner the Writ Petition is not entertainable at this stage.

4. Considering the rival contentions of the Parties this Court finds, undisputedly there is no finality on the request of the Petitioner on aspects of renewal of the Passport involved herein. Through Annexure-6 this Court finds, Petitioner has already met with the requirements on the aspects of shortcomings.

5. Considering loss of time in the meantime this Court in disposal of the Writ Petition directs Opposite Party No.2 to finalize the request of the Petitioner taking into consideration the response of the Petitioner vide Annexure-6 along with documents appended therein and also keeping in view the observations of this Court in disposal of W.P.(C) No.4834 of 2022 disposes of on 23.3.2022.

6. Considering the allegation of the Petitioner that even after he appeared before the competent authority along with his response, no hearing was made nor was the date of hearing provided. This Court directs Opposite Party No.2 on production of copy of order of this Court by the Petitioner, the Opposite Party No.2 shall initially fix the date of hearing involving the proceeding at least within a period of seven days of communication of order and also conclude the proceeding within fifteen days thereafter but in the above terms.

7. The Writ Petition thus stands disposed of.

(Biswanath Rath)
Judge