

CWP-7874-2022

Date of Decision: 20.04.2022

Minakshi Barthwal

....Petitioner

VS

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Aman Bansal, Advocate
for the petitioner

SUDHIR MITTAL, J. (Oral)

The petitioner is the estranged wife of respondent No. 3. She has filed a number of cases against him relating to matrimonial discord. Allegedly, in one of them the competent Court has taken cognizance. Apprehending that respondent No. 3 may flee the country, a complaint was made to respondent No. 2 but no action was taken thereupon. Thus, a writ petition was filed i.e. CWP No. 14562 of 2021 and the same stood disposed of on the basis of a statement made by counsel representing the passport authorities that the passport had been revoked. Now, it is alleged that the order of revocation has been withdrawn and the passport has been restored but copy of the order of restoration of passport has not been made available to the petitioner despite demand. Legal notice dated 10.03.2021 (Annexure P-14) has also failed to move the concerned authorities.

Learned counsel for the petitioner submits that a direction may be issued to the concerned authorities to decide the legal notice by passing a speaking order.

Notice of motion to respondents No. 1 and 2 only.

Ms. Saigeeta Srivastava, Advocate appearing for Ms. Alisha Arora, Advocate accepts notice on behalf of respondents No. 1 and 2 and waives service.

Considering the nature of the order being passed, there is no necessity

The writ petition is disposed of with a direction to respondent No. 2 to decide the pending legal notice dated 10.03.2021 (Annexure P-14) by passing a speaking order within twelve weeks from the date of receipt of certified copy of this order. In case, the order of revocation of passport of respondent No. 3 has been withdrawn, a copy of the said order be provided to the petitioner as well as to respondent No. 3 alongwith a copy of the order whereby the passport of respondent No. 3 was allegedly revoked.

20.04.2022
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(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No