

CWP-11445-2019

Date of Decision: 03.08.2022

Raj Kumar

....Petitioner

VS

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Kanish Jindal, Advocate with
Mr. Rishav Jain, Advocate
for the petitioner

Mr. H.S. Oberoi, Advocate
for the respondents

SUDHIR MITTAL, J. (Oral)

The petitioner applied for re-issuance of passport vide application dated 04.06.2014. Vide communication dated 23.06.2014, the petitioner was informed that police verification will be carried out after issuance of the passport. Subsequently, communication dated 27.02.2015 was issued asking the petitioner to appear before the Passport Adalat on 20.04.2015 as requisite documents/ explanation sought had not been submitted. The petitioner attended the Passport Adalat, yet, the passport was not issued. On checking the online status it was discovered that the passport application had been kept pending due to issuance of a show cause notice. Ultimately, it came to light that the passport application had been closed. After three years the petitioner filed another application but the same has also been closed on 04.04.2018 on account of pendency of criminal trial.

Learned counsel for the petitioner has submitted that in the criminal trial commenced on the basis of FIR No. 63 dated 10.04.2013 registered at P.S. City Sunam the petitioner was acquitted vide judgment dated 05.11.2018 passed in challan filing No. 1810 of 06.11.2013. Thus, there was no hindrance in re-issuance

Learned counsel for respondents No. 2 and 3 submits that a show cause notice was issued to the petitioner when it came to light that a criminal trial was pending. Since he did not reply to the said show cause notice the file was closed. Now that judgment of acquittal has come on record, the petitioner may file a fresh application giving all necessary details.

Learned counsel for the petitioner is agreeable that the fresh application will be filed.

In view of the above, the writ petition is disposed of.

The petitioner may file a fresh application which will be considered by the passport authorities in accordance with law.

03.08.2022
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(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No