

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-14973-2017

Date of Decision: 03.08.2022

Ramjan

....Petitioner

VS

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Harkirat Singh, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner

Dr. Parveen Hans, Advocate
for respondents No. 1 and 2

None for respondent No. 3

SUDHIR MITTAL, J. (Oral)

The petitioner applied for issuance of a passport vide application dated 20.05.2017 alongwith relevant documents including the date of birth certificate. For verification of the same, the passport authorities sent a communication to the North Delhi Municipal Corporation whereupon two contradictory replies were received. Vide reply dated 26.09.2016, it was stated that no record regarding the birth of the petitioner is available whereas in communication dated 27.10.2016 the date of birth was mentioned. Since there was no clarity regarding the date of birth of the petitioner the passport authorities refused to issue the passport and, thus, the present writ petition has been filed.

Learned counsel for the petitioner submits that as per the record of the North Delhi Municipal Corporation the date of birth of the petitioner is 04.08.1993 which is revealed from communication dated 27.10.2016 and, thus, the passport authorities were not justified in refusing to issue the passport.

Learned counsel for respondents No. 1 and 2 submits that the contradiction has not been resolved. North Delhi Municipal Corporation has not filed any written statement despite service. The counsel had put in appearance only on one date and thereafter he has stopped appearing. Thus, it is not possible for the passport authorities to issue the passport.

From the aforementioned respective arguments of learned counsel for the parties, it is evident that dispute exists regarding the date of birth of the petitioner. The writ Court can not decide this dispute and, thus, no relief can be granted to the petitioner.

The writ petition is dismissed.

03.08.2022
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(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No