

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CM-15005-CWP-2022 in/and
CWP No.20726 of 2022 (O&M)

Date of decision: 22.11.2022

Gurpreet Singh

....Petitioner

V/s

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Ms. Jasneet Mehra, Advocate for the petitioner.

Mr. Karan Kumar Jund, Advocate for the respondents.

VIKAS SURI, J. (Oral)

CM-15005-CWP-2022

Application under Section 151 CPC for placing on record the correct copy of Annexure P-5 and for exemption from filing the certified/true typed copy of the same has been filed.

It is averred in the application that vide order dated 13.09.2022, time was sought to file translated copy of Annexure P-5, which was stated to be an order refusing issuance of passport to the petitioner. It is further averred that while going through the document attached, it transpires that in fact wrong document has been appended as Annexure P-5 to the writ petition; and the correct document has now been sought to be placed on record. The application is supported by affidavit of Special Power of Attorney of the petitioner through whom the present petition has been instituted.

For the reasons given in the application duly supported by the affidavit, the same is allowed. Annexure P-5 is taken on record. Registry to tag the same at the appropriate place.

CM stands disposed of.

CWP No.20726 of 2022

After arguing for some time, learned counsel for the petitioner submits that the order refusing issuance of passport is in fact an order passed under Section 5(2)(c) of the Passports Act, 1967. The said order would be an appealable order in terms of Section 11 of the said Act. She refers to Section 11(3) of the Passports Act, 1967 to submit that the period prescribed for preferring an appeal is to be computed in accordance with the provisions of the Limitation Act, 1963 and therefore the time consumed before this Court would necessarily deserve to be excluded in terms of Section 14 of the Limitation Act, 1963.

Learned counsel for the petitioner prays withdrawal of the petition with liberty to prefer an appeal against the impugned order (Annexure P-5), in accordance with law.

Learned counsel for the respondents raises no objection to the same.

Dismissed as withdrawn with liberty as aforesaid.

(VIKAS SURI)
JUDGE

November 22, 2022
Ajay

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No