

19th October,
2023
(AK)
03

W.P.A 22209 of 2023

Binoy Kumar Das
Vs.
The Union of India and another

Mr. Saikat Chatterjee
Mr. Palash Bapari
Mr. Puranjan Pal

...for the petitioner.

Mr. Ashok Kumar Chakraborti
Mr. Kumar Jyoti Tewari

...for the respondents.

1. Learned counsel for the petitioner contends that the petitioner is the grandfather of a minor by the name of Debankur Das.
2. The said minor is proficient in Karate and seeks to participate in a competition abroad. To accompany him, the petitioner seeks a passport.
3. The difficulty faced by the petitioner is that the petitioner's father is a confirmed alcoholic and the minor's mother has deserted the minor.
4. Hence, it is left for the petitioner, as the grandfather of the child, to take him to the competition.

5. Learned ASG contends that as per the provisions and procedure, either of the parents of the child have to comply with certain formalities.

6. However, learned ASG submits in his usual fairness, the representation given by the petitioner in that regard shall be considered by the respondent authorities.

7. It transpires that in the circumstances as indicated above, it is the petitioner, who is the grandfather, who is the only person able to take the child to participate in the impending competition.

8. In order to ensure that the budding youth is not deprived of such opportunity, WPA 22209 of 2023 is disposed of by directing the respondent authorities to consider the representation of the petitioner in sympathetic light, keeping in view the above alleviating circumstances.

9. However, the petitioner shall ensure the presence of the father of the minor at the juncture when the petitioner's representation is considered, so that the latter is able to sign/execute the necessary documents as required by the authorities for such purpose. For such purpose, the petitioner shall be present along with his son, that is, the father of the minor, on October 30, 2023 at 12 noon before the concerned Office of the respondent no.2, that is, the Regional Passport Officer.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)