

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

205

CWP-1895-2021 (O&amp;M)

Date of Decision : 19.12.2023

Sandeep Singh

..... Petitioner

Versus

Union of India and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Ms.Harpreet Kaur, Advocate  
for the petitioner.

Ms. Shweta Nahata, Sr.Panel Counsel  
for the respondents-UOI.

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**JAGMOHAN BANSAL, J. (Oral)**

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of show cause notice dated 11.01.2021 (Annexure P-10) whereby regional passport authority has called upon him to show cause as to why action should not be taken against him under Passport Act. The petitioner has been further asked to surrender his passport.

2. Learned counsel for the petitioner submits that passport authority cannot impound passport without granting an opportunity of hearing to the petitioner. The petitioner has right to put forth his stand and passport authority is bound to consider submissions of the petitioner before passing order of impounding passport.

3. Learned counsel for the respondents submits that the petitioner had obtained passport by concealing material facts, thus, impugned show

cause notice was issued. She is unable to controvert the fact that the respondent is bound to grant an opportunity of hearing as well as opportunity to file reply before passing order of impounding passport.

4. It is settled proposition of law that no adverse order can be passed without granting opportunity of hearing and opportunity to put forth his defence. The respondent issued show cause notice in 2021 and till date no order impounding passport has been passed.

5. The passport authority is hereby directed to grant an opportunity of personal hearing to petitioner and thereafter pass a speaking order with respect to aforesaid show cause notice. The needful shall be done within three months from today.

5. The present petition stands disposed of.

( JAGMOHAN BANSAL )  
JUDGE

19.12.2023  
anju

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|---------------------------|---------------|
| Whether speaking/reasoned | Yes/No        |
| <i>Whether Reportable</i> | <i>Yes/No</i> |