

116
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-1364-2023 (O&M)
Date of Decision: 23.01.2023

JASPREET KAUR

....Petitioner(s)

Versus

UNION OF INDIA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Arnav Sood, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India seeking a writ in the nature of Mandamus directing respondent Nos. 2 and 3 to issue passport to the minor daughter of the petitioner namely Gursehaj Kaur Bali as per application dated 04.10.2022 (Annexur P-1).

Learned counsel for the petitioner has submitted that the petitioner had applied the passport of her minor daughter but the same has not been processed or considered by the Passport Authorities for the reasons best known to them and also submitted that there was a matrimonial dispute of the petitioner with her husband and that itself cannot become a ground for denial of passport and even otherwise also, the pendency of an FIR, if any, cannot become a ground for denial of passport to the minor daughter of the petitioner. He submitted that be that

as it may, the petitioner has given representation vide Annexure P-5 to the Regional Passport Officer, Jalandhar on 17.12.2022 but neither any reply has been filed to the representation nor any action has been taken in this regard. He submitted that he will be satisfied at this stage in case a direction is issued to the Regional Passport Authority, Jalandhar to consider and decide the representation (Annexure P-5) in accordance with law and as expeditiously as possible.

Notice of motion.

Ms. Shweta Nahata, Advocate accepts notice on behalf of the respondents and states that in view of the aforesaid factual position as stated by the learned counsel for the petitioner, she has no objection in case time bound directions are issued to respondent No.2 to consider and decide the representation (Annexure P-5) in accordance with law.

In view of the aforesaid position, this Court is of the considered view that without observing anything on the merits of the case, the present petition can be disposed of at this stage since directions are sought to be issued to the appropriate authorities to consider and decide the representation (Annexure P-5) filed by the petitioner for which there is no objection from the learned counsel for the respondents.

In view of the above, it is directed that respondent No.2 shall consider the representation dated 17.12.2022 (Annexure P-5) filed by the petitioner and thereafter pass a speaking order on the aforesaid Annexure P-5 strictly in accordance with law and within a period of four weeks from today.

Needless to say that in case, the petitioner is entitled for the grant of passport for her minor daughter, then the same shall be issued strictly in accordance with law within the aforesaid time frame work.

The present petition stand disposed of accordingly.

23.01.2023

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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