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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-1810-2023 (O&M)
Date of Decision: 23.03.2023

Loveleen Kaur

....Petitioner(s)

Versus

Union of India and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Prateek Sodhi, Advocate, for the petitioners

Mr. Karan Singh, Advocate, for the respondents.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India seeking a writ in the nature of *Mandamus* directing the respondents to consider application dated 13.09.2022 (Annexure P-6) whereby the petitioner has sought re-issuance of her passport with corrected/updated particulars.

Learned counsel for the petitioner has submitted that the petitioner had filed an application to the Passport Authorities but no action has been taken in this regard. He submitted that there are three grievances of the petitioner. Firstly since the petitioner has already divorced from her husband and wants the deletion of the name of the divorced husband. Secondly, after divorce there is a change of address and for that purpose, she needs the change of her address since she does not wish to carry on the

address of her former husband and thirdly the grievance is with regard to change of date of birth of the petitioner since in the passport it was inadvertently mentioned and same can always be done in accordance with the instructions and the policy of the respondent-Passport Authorities.

On the other hand, Mr. Karan Singh, Advocate appearing on behalf of the respondents submitted that so far as the first grievance of the petitioner is concerned with regard to deletion of the name of her former husband, let the petitioner submit the certified copy of decree of divorce and thereafter the same will be considered within a period of three weeks. So far as the second grievance of the petitioner with regard to change of address is concerned, the same can also be considered within a period of four weeks subject to submission of proof of address i.e. aadhar card or any concrete proof and therefore so far as the first two grievances is concerned, the same can be addressed by the respondents authorities subject to furnishing of the aforesaid documents by the petitioner and preferably accompanied by an affidavit.

Learned counsel for the petitioner has submitted that he will supply the necessary documents as aforesaid pertaining to the first two grievances within a period of one week from today and in addition to the same, will also furnish a necessary affidavit in this regard pertaining to the fact that the petitioner had got divorced from her husband and that there is change of address.

So far as the third grievance of the petitioner with regard to change of date of birth is concerned, learned counsel for the Passport Authorities submitted that consideration for grievance of the petitioner is

still in process but the petitioner had earlier for a number of times applied for passport and was granted passport on the date of birth which is already mentioned in the passport and now suddenly she has applied for change of date of birth and for that purpose also, the Passport Authorities shall pass a well-reasoned speaking order within a period of four weeks from today. Before passing the order, the Passport Authorities will also issue notice to the petitioner for requisition of various information and documents so that the same may be considered in accordance with law. In case the petitioner requires personal hearing, then the same shall also be granted to the petitioner.

In view of the aforesaid position and without observing anything on the merits of the case, the present petition is disposed of as follows:-

1. So far as the first two grievances of the petitioner pertaining to deletion of name of the former husband of the petitioner and the change of address is concerned, both the learned counsels for the parties are *ad idem* that the same can be done subject to the supply of necessary documents by the petitioner and the learned counsel for the petitioner has also submitted that the same will be supplied within a period of one week alongwith affidavit and therefore it is directed that the necessary consideration be done within a period of four weeks from today. In case due to any reason under the law, the petitioner is found to be not entitled for the deletion of

the name of her former husband or the change of address, then a well-reasoned speaking order shall be passed in this regard.

2. So far as the third grievance of the petitioner pertaining to the change of date of birth is concerned, the petitioner is directed to supply all the relevant documents pertaining to the date of birth which are so required by the Passport Authorities within a period of one week from today alongwith necessary affidavit. Thereafter the Passport Authorities shall consider the same and process the grievance of the petitioner with regard to change of date of birth strictly in accordance with law and pass a well-reasoned speaking order in this regard.
3. In case the petitioner is aggrieved by any of the orders passed by the Passport Authorities as aforesaid, then the petitioner shall be at liberty to file a fresh petition before this Court.
4. Let the entire exercise as aforesaid be completed within a period of six weeks from today.

The present petition is disposed of in view of the aforesaid directions.

23.03.2023

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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