

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CWP-1820 of 2023
Date of Decision:31.01.2023

Gagandeep Kaur

....Petitioner(s)

Versus

Union of India and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

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

JASGURPREET SINGH PURI, J. (Oral)

The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *mandamus* directing the respondents-passport authorities to re-issue the passport to the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner got married with Gurjant Singh against the wishes of her parents and thereafter a dispute arose with her husband but the petitioner had lost her passport for which she had lodged a DDR with the police and thereafter filed an application (Annexure P-1) for re-issue the passport to the petitioner but her file was closed by the passport authorities. Thereafter, she filed a writ petition before this Court vide Annexure P-3 and the same was dismissed because the petitioner had earlier approached this Court without contacting the Regional

Passport Office and therefore it was dismissed being pre-mature. She submitted that vide Annexure P-4 a detailed representation was given to the Assistant Passport Officer, Passport Sewa Kendra, Amritsar dated 06.06.2022 and thereafter the passport authorities had also fixed a time for the petitioner to be present for the purpose of supplying of various documents. She submitted that the petitioner had supplied all the documents to the passport authorities but the passport authorities has still not considered and finalized the issue pertaining to the re-issue of the passport to the petitioner nor the representation (Annexure P-4) has been decided till date. She submitted that due to inaction on the part of the passport authorities, valuable rights of the petitioner have been affected. She further submitted that since the representation has been filed vide Annexure P-4, she will be satisfied in case at this stage an appropriate direction is issued to the passport authorities for considering and deciding the representation Annexure P-4 in accordance with law and she also submitted that the petitioner undertakes to supply any other document or relevant material if so required by the passport authorities and for that purpose time and date may be fixed by this Court so that the same can be done at the earliest.

Notice of motion.

Mr. Arihant Goyal, Central Government Counsel accepts notice on behalf of passport authorities-respondents and submitted that although the petitioner had filed a representation Annexure P-4 but when she was called to the office she was asked to submit documents and information pertaining to her marital status but she did not do so. He submitted that he has no objection in case she now appears before the concerned Assistant Passport Officer, Amritsar/Regional Passport Authority and supplies the documents as asked by

the passport authorities for the purpose of further processing the application of the petitioner and in case the same is done then the representation Annexure P-4 shall be processed and finalized at the earliest.

I have heard the learned counsel for the parties.

This Court is of the view that considering the factual facts and circumstances and considering the limited prayer made by learned counsel for the petitioner, the present petition can be disposed of with the following directions:-

- 1) The petitioner shall appear before Regional Passport Authority -respondent No.2 on 15.02.2023 at 11:00 AM at his office alongwith all the requisite/necessary documents including documents pertaining to her marital status.
- 2) The Regional Passport Authority shall accept all the documents as supplied by the petitioner and in case it is so required for any additional documents then the same shall be communicated to the petitioner by way of written communication.
- 3) Thereafter, the application of the petitioner for issuance of the passport shall be processed strictly in accordance with law and shall be finalized within a period of next three weeks.
- 4) Thereafter, in case the petitioner is found to be entitled for grant of passport, then the same shall be issued to her within a period of two weeks thereafter and in case the passport authorities come to the conclusion that the petitioner is not found to be entitled for grant of passport for any reason whatsoever then the passport authorities-respondent No.2 shall pass a well-

reasoned speaking order in this regard and that too within a period of three weeks.

The present petition stands disposed of in terms of the aforesaid directions.

(JASGURPREET SINGH PURI)
JUDGE

January 31, 2023
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No