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2023:PHHC:054713

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4145-2023 (O&M)
Date of Decision: 19.04.2023

Promila Goraya

....Petitioner(s)

Versus

Regional Passport Officer

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Harjinder Singh, Advocate for
Ms. Satwant Mehta, Advocate, for the petitioner.

Ms. Amrita Singh, Advocate, for the respondent.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *Mandamus* directing the respondent to issue passport to the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner had filed an application for passport in the year 2011 but the passport has not been issued to the petitioner. He further submitted that probably the reason for that may be that there was one FIR against the petitioner in which she has been convicted long time ago and even an appeal was filed in the year 2012 before this Court in which the sentence was suspended. He submitted that since the conviction was more than 5 years preceding the date of application as of today, the passport could not have been refused to the petitioner.

On the other hand, Ms. Amrita Singh, Advocate appearing on behalf of the respondent-Passport Authorities has submitted that as per the petitioner, the application was filed in the year 2011 whereas it cannot be said that at point of time the conviction was more than 5 years preceding the date of application. She submitted that be that as it may, so far as the application of the petitioner as of date is concerned, no such application is pending before the Passport Authorities and in case the petitioner files any fresh application for grant of passport, then the same will be considered and finalized within a period of three months from today.

Learned counsel for the petitioner has stated that in view of the statement made by the learned counsel for the respondent-Passport Authorities, the present petition may be disposed of with a liberty to the petitioner to file a fresh application and a time bound direction be issued in this regard.

In view of the aforesaid position, the present petition is disposed of. Liberty is granted to the petitioner to file a fresh application for grant of passport before the Passport Authorities in accordance with law and in the event of filing of any fresh application to the Passport Authorities, then the Passport Authorities shall process and finalize the same within a period of three months thereafter.

19.04.2023

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)
JUDGE

: Yes/No
: Yes/No