

205 **2023:PHHC:056840**
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4908-2023 (O&M)
Date of Decision: 21.04.2023

KARANVIR SINGH AND ANOTHER

....Petitioner(s)

Versus

UNION OF INDIA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amrit Paul Nahar, Advocate,
for the petitioners.

Mr. Karan Kumar Jund, Advocate,
for respondents No.1 and 3.

Mr. Arun William, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. 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 respondents to issue the passport to the petitioners.
2. Learned counsel for the petitioners has submitted that petitioner No.1 had filed an application for grant of passport on 14.10.2022 and petitioner No.2 had filed an application for grant of passport on 23.11.2022 and the passport applications have not been finalized by the Passport Authorities. He submitted that necessary directions be issued to the Passport Authorities in this regard.
3. On the other hand, Mr. Karan Kumar Jund, Advocate appearing on behalf of respondent No.1-Union of India and respondent

No.3-Regional Passport Officer has submitted that the police verification was sought in the present case and there was one FIR pending against the petitioners and further communication is yet to be received from the concerned police quarters and that is the reason as to why there was a delay in processing of the applications of the petitioners. He submitted that thereafter the applications which were filed by the petitioners were closed and now he has instructions to say that in case the petitioners file fresh applications to the Passport Authorities, then the same will be considered, processed and finalized within a period of four weeks from the date of applications positively and in accordance with law.

4. Mr. Arun William, learned Assistant Advocate General, Punjab has stated on instructions from ASI Tarsem Singh that in fact the police authorities have already recommended to the Passport Authorities that they have no objection in case the passports are issued to the petitioners.

5. I have heard the learned counsel for the parties.

6. The applications which were filed by the petitioners for grant of passport have been closed by the Passport Authorities as per the learned counsel for the respondent-Passport Authorities. He has however stated on instructions that in case the petitioners file fresh applications for the grant of passport, then the same will be considered and finalized within a period of four weeks from the date of applications.

7. In view of the above, the present petition is disposed of with the following directions:-

- (i) The petitioners shall be at liberty to file fresh applications for grant of passport to the concerned

Passport Authorities within a period of two weeks from today.

- (ii) In the event of the petitioners filing any fresh applications, then the same shall be considered, processed and finalized by the Passport Authorities within next four weeks.
- (iii) The statement made by the learned Assistant Advocate General, Punjab today in the Court will also be kept in mind while deciding the applications of the petitioners.
- (iv) After considering the applications of the petitioners in case the petitioners are found to be entitled for the grant of passports, then the same shall be released to them within the next period of two weeks and in case for any reason whatsoever the petitioners are found to be not entitled for the grant of passports, then a well-reasoned speaking order shall be passed by the concerned Passport Authorities after giving adequate opportunity of hearing to the petitioners or their counsel.

21.04.2023

rakesh

(JASGURPREET SINGH PURI)

JUDGE

Whether speaking

Whether reportable

:

:

Yes/No

Yes/No