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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP-16656-2022
Date of Decision: 30.01.2023**

KABUL SINGH

....Petitioner(s)

Versus

UNION OF INDIA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. Karan Kumar Jund, Advocate,
for respondents No.1 and 2.

Ms. Akshita Chauhan, DAG, Punjab.
for respondent No.3.

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 No.2 to issue a passport to the petitioner.

Learned counsel for the petitioner has submitted that the petitioner had applied for a passport on 18.08.2021 to the Passport Authorities-respondent No.2 but 1 year and 5 months have elapsed but neither any passport has been issued to the petitioner nor the reasons for delay have been communicated to the petitioner. He submitted that the Passport Authorities are under an obligation to consider the application

filed by the petitioner for grant of passport and to finalize the same in accordance with law.

On the other hand, Mr. Karan Kumar Jund, Advocate appearing on behalf of respondents No.1 and 2 has submitted that he has sought instructions to state that although the petitioner has filed an application for grant of passport but the computer system of the Passport Authorities reflect the issuance of some other passport in the same name as that of the petitioner and regarding which verification was sought from various Passport Authorities as to whether the petitioner was earlier issued a passport or not. Although the petitioner had filed an affidavit before the Passport Authorities that earlier there was no passport issued to the petitioner but it is the duty of the Passport Authorities to verify the exact position since passport is a sensitive document involving the security of the State. He submitted that now a communication has been sent to the Ministry of External Affairs, Government of India seeking further clarification with regard to ascertaining the aforesaid factual position and it is expected that the verification will be done in due course of time. He submitted that after the verification is completed and in case, the petitioner is found to be entitled for grant of passport, then the same will be issued to him as expeditiously as possible strictly in accordance with law.

In view of the aforesaid stand taken by the learned counsel for respondents No.1 and 2, the present petition is disposed of with a direction to respondents No.1 and 2 to expedite the process of considering the application of the petitioner for grant of passport and the exercise

regarding verification etc. shall be completed within a period of three months from today.

Needless to say that in case the petitioner is thereafter found to be entitled for the grant of passport, then the same shall be issued to the petitioner within a period of next two weeks and in case the petitioner is not found to be entitled for any reason whatsoever under the law, then a well-reasoned speaking order shall be passed by the concerned Passport Authorities.

30.01.2023
rakesh

(JASGURPREET SINGH PURI)
JUDGE

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