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

**CWP-18549-2019
Date of Decision: 12.01.2023**

Malkit Singh

..... Petitioner

Versus

Union of India and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sandeep Jain, Advocate,
for the petitioner.

Mr. Amit Sharma, Advocate,
for the respondents.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ particularly in the nature of mandamus for directing the respondents to correct the date of birth of the petitioner from 15.03.1959 to 15.03.1955.

Learned counsel for the petitioner has submitted that the petitioner had filed an application to the Passport Authority for correction of his date of birth but no action has been taken by them and rather an objection was raised by them that the date of birth could not be corrected. He further submitted that although reply has been filed by the Passport Authority but there is no reason given in the reply except the fact that the petitioner has suppressed the material facts and change of date of birth

cannot be taken in a light manner, since it is an important travel document pertaining to the country. He also submitted that the petitioner fulfills all the conditions for getting the change of date of birth and he may be permitted to file a detailed comprehensive representation/application to the Passport Authority along with all the supportive documents which are required by the Passport Authority and he will be satisfied at this stage, if a direction is issued to respondent No.2 to consider and decide his comprehensive representation/application in accordance with law within a time bound manner.

Mr. Amit Sharma, learned counsel for respondent Nos. 1 & 2 has submitted that it is correct that no order has been passed till date by respondent No.2 but there are various objections on the application filed by the petitioner and he has also not supplied the requisite documents which are required under the law. He further submitted that he has no objection in case the petitioner files a comprehensive representation/application to respondent No.2 and he may then pass a detailed speaking order strictly in accordance with law.

In view of the aforesaid position, the present petition is disposed of. Therefore, without observing anything on the merits of the case, the petitioner shall be at liberty to file a fresh application/representation to the concerned Passport Authority along with all supportive requisite documents which are so required under the law within a period of one month from today.

In the event of filing such comprehensive representation/application, the same shall be considered and decided by

respondent No.2 strictly in accordance with law within a period of two months thereafter.

Needless to say that the petitioner shall also be entitled for grant of personal hearing before the concerned competent authority before taking a decision.

12.01.2023
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |