

213

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

CWP-20423-2022

Date of Decision: 16.02.2023

Ravi Parkash Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Jasraj Singh, Advocate
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab,
for respondent Nos.1 to 3.

Mr. Karan Kumar Jund, Advocate,
for respondent Nos.4 & 5.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of *mandamus* directing the respondents to furnish the adverse police verification report relied upon by the respondent No.5 to deny renewal of passport to the petitioner and to further direct the respondent No.5 to renew the passport of the petitioner since the same is being denied to him without any reasonable basis in an arbitrary and unjust manner.

At the outset, Mr. Karan Kumar Jund, learned counsel appearing for the respondent Nos.4 & 5-Passport Authorities submitted on instructions that the earlier application of the petitioner has already lapsed and at that point of time, there was an adverse police report against the petitioner. He further

submitted that now the respondents-Passport Authorities have received clear and positive Police Verification Report from the police, and therefore, in case the petitioner files a fresh application for grant of passport, then the same will be considered and finalized in the light of fresh verification report which has been received in favour of the petitioner within a time bound manner. He also stated that earlier notice was issued to the petitioner for seeking information on 03.01.2023, which has now become *otiose* in view of the fact that fresh Police Verification Report has been received.

Learned counsel for the petitioner has submitted that in view of the statement made by learned counsel for the respondents/Passport Authorities that in case a fresh application is filed, then the same will be processed and finalized within a time bound framework on the basis of fresh Police Verification Report received by the Passport Authorities in favour of the petitioner, the present petition may be disposed of by issuing directions to the Passport Authorities by making the process as time bound.

In view of the aforesaid position, the present petition is disposed of with the following directions:-

1. The petitioner shall be at liberty to file a fresh application for grant of passport in accordance with law within a period of two weeks from today.
2. In the event of making a fresh application for grant of passport as aforesaid, the Passport Authority shall consider and finalize the same strictly in accordance with law and within a period of three weeks thereafter. In case, any further information is required by the Passport Authorities, then the same shall be communicated to the petitioner by way of written

communication within a period of one week from the receipt of the application.

3. After processing the application as aforesaid, in case, the Passport Authority comes to the conclusion that the petitioner is entitled for grant of passport according to law, then the same shall be issued to him as early as possible and within a period of two weeks thereafter, but in case the Passport Authority comes to the conclusion that the petitioner is not entitled for grant of passport for any reason under the law then the concerned Passport Authority shall pass a well-reasoned speaking order in this regard after hearing the petitioner.
4. In case, the Passport Authority passed a speaking order as aforesaid on the ground that the petitioner is not entitled for the passport for any reason under the law, then the petitioner shall be at liberty to file a fresh petition to challenge the same.

16.02.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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