

CWP-18113-2023

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2023:PHHC:124223

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

CWP-18113-2023

Date of Decision:21.09.2023

ARADHYA THAKUR

..... Petitioner

Versus

UNION OF INDIA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Dixit Garg, Advocate
for the petitioner.

Mr. Ankur Sharma, Senior Panel Counsel
for the respondents- UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent No.3 to issue her passport.

2. The petitioner is a minor child. She is staying with her mother. Father of the petitioner filed petition under Section 13 of Hindu Marriage Act, 1955 seeking divorce. The Family Court vide *ex-parte* judgment dated 18.10.2022 has ordered to dissolve the marriage and father of the petitioner has been granted divorce. Father of the petitioner has filed petition under Section 7 of Guardians and Wards Act, 1890 seeking custody of the petitioner. The petitioner through her mother has filed application before passport authority seeking passport. The mother of the petitioner has filed Annexure-C alongwith application.

3. Learned counsel for the petitioner *inter alia* contends that as per instructions issued by respondent, an application can be filed by

single parent provided Annexure-C is filed alongwith the application. The mother of the petitioner has already filed Annexure-C alongwith application, thus, petitioner is entitled to passport.

4. Learned counsel for the respondents- UOI submits that application of the petitioner has been returned and if petitioner files fresh application, it would be decided considering the instructions issued by Central Government as well as order dated 28.02.2023 passed by this Court in *CWP No.24123 of 2023*.

5. Learned counsel for the petitioner agrees with aforesaid arrangement.

6. In the wake of statements of both sides, the petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

21.09.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>