

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

106

CWP-19114-2023

Date of Decision : 04.09.2023

Dharmender

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.A.S.Gulati, Advocate
for the petitioner.

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

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking directions to respondents No.2 and 3 to release his passport bearing No.L7671705 which was seized by the Indian Immigration Control, New Delhi.

2. The petitioner was issued passport which is valid till 06.03.2024. The petitioner in 2016 shifted to Germany and stayed there till 2020 and thereafter shifted to Portugal. He worked for 02 years in Portugal and became Permanent Resident of Portugal. The petitioner came to India on 15.11.2022. The petitioner was leaving India on 05.03.2023 and Immigration Staff at New Delhi Airport seized his passport. The petitioner approached passport authority seeking release of his passport. The petitioner was asked to apply for fresh passport and on the advise of the

authorities, the petitioner applied for fresh passport. The earlier passport is

still valid and respondents despite repeated requests have not released his passport. No case is pending against the petitioner and police in its report has already confirmed this fact.

3. Learned counsel for the respondents submits that as per their information, the petitioner has travelled to India against emergency certificate and petitioner has not disclosed this fact, thus, the petitioner needs to be present in the office of passport authority and clarify factual position.

4. Learned counsel for the petitioner does not dispute the aforesaid arrangement.

5. In the wake of statement of learned counsel for the parties, the petition stands disposed of with a direction to the petitioner to appear before respondents on 14.09.2023 along with all the requisite documents. On doing so, the respondent No.3 would pass order within 06 weeks thereafter.

04.09.2023
anju

(JAGMOHAN BANSAL)
JUDGE

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