

PARDUMAN SINGH

....Petitioner

Verses

UNION OF INDIA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Bhritgu Dutt Sharma, Advocate  
for the petitioner.

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**JASGURPREET SINGH PURI, J (Oral):**

The present writ petition has been filed under Article 226/227 of the Constitution of India seeking issuance of direction in the nature of mandamus to re-issue the passport to the petitioner after making the necessary corrections with regard to his date of birth and spelling of his own name on the basis of the documents which have been supplied by the petitioner to the Passport Authorities which include the documents pertaining to his army service as well.

Learned counsel for the petitioner has submitted that the petitioner was issued passport in the year 2006 which is valid till July 2023 and since there was mistake in the date of birth and the spelling of his own name he had filed an application to the Passport Authorities on 11.11.2021 (Annexure P-5) but more than 1 year has lapsed and no action has been taken by the Passport Authorities. He further submitted that even legal notice was issued to the Passport Authorities and the petitioner himself had appeared before respondent No.2 in pursuance of the communication given by the Passport Authorities to him for the purpose of appearing and

even till date, no action has been taken by the Passport Authorities which they were otherwise under an obligation to do so in accordance with law.

Mr. Arihant Goyal, Central Government Counsel, has put in appearance on behalf of the respondents and submitted that so far as the prayer of the petitioner for considering the application filed by him for change of date of birth and change in spelling of his own name is concerned, the Passport Authorities were to consider the same in accordance with law. So far as the delay is concerned, he has submitted that now the Passport Authorities will complete the process within a period of 6 weeks from today. He has further submitted that he has still to seek instructions as to whether the petitioner has submitted the requisite documents or not.

I have heard the learned counsel for the parties.

The only issue involved in the present petition is that the petitioner has filed an application to the Passport Authorities for the re-issuance of the passport after correcting his date of birth and spelling of his own name which was filed by the petitioner in November 2021 which is more than 1 year but no action has been taken by the Passport Authorities. According to the learned counsel for the petitioner, he has already submitted the requisite documents to the Passport Authority in pursuance of the communication received by him from the Passport Office on the basis of his legal notice. But the submission made by the learned counsel for the respondents is that he had not received instructions as to whether actually the petitioner had supplied the requisite documents or not.

In view of the above, this Court deem it fit and appropriate to dispose of the present petition with the following directions:

Regional Passport Officer, Jalandhar on 09.02.2023 at 11:00 am and shall supply all the requisite documents to the concerned Regional Passport Officer. In case the Regional Passport Officer requires some other documents from the petitioner then the same shall be communicated through a written communication and in that eventuality, the petitioner shall supply the requisite documents within next 3 days.

2. Thereafter, the Regional Passport Authority, Jalandhar shall consider the application filed by the petitioner strictly in accordance with law within a period of 6 weeks. In case the petitioner is found to be entitled for the re-issuance of the passport after redressal of his grievances pertaining to change of his date of birth and spelling of his own name then the fresh Passport shall be issued to the petitioner within next 2 weeks. However, in case the Regional Passport Authority is of the view that the petitioner is not entitled for the aforesaid then a well reasoned speaking order shall be passed by the Regional Passport Officer, Jalandhar within a period of 01 week.

In view of the aforesaid directions, the present petition is disposed of.

01.02.2023  
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(JASGURPREET SINGH PURI)  
JUDGE

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |