

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

219

**CWP-26089 of 2022
Date of Decision:09.02.2023**

Amrik Singh

....Petitioner(s)

Versus

Union of India and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Premjit S. Hundal, Advocate and
Mr. Vikramjeet Singh, Advocate,
for the petitioner.

Mr. Arvind Seth, Advocate,
for respondents No. 1 to 3.

Ms. Akshita Chauhan, DAG, Punjab
for respondents No. 4 and 5.

JASGURPREET SINGH PURI, J. (Oral)

The present writ petition has been filed under Article 226 of the Constitution of India seeking a writ in the nature of *mandamus* directing respondents No.4 and 5 to give 'No Objection Certificate' for renewal of passport of the petitioner, with a further prayer to respondents No.1 to 3 to renew/issue the passport.

It has been submitted by learned counsel for the petitioner that the petitioner had applied for grant of passport in June 2022 and the same is still pending with the passport authorities. He further submitted that in fact the petitioner was earlier convicted in the year 2015 and regarding which an appeal is also pending before this Court. He further submitted while referring to Section 6 (2) (e) of the Passport Act, the conviction order is more than 5 years

preceding the date of his application and therefore it could not have become a bar for grant of passport to the petitioner.

At this stage, Mr. Arvind Seth, learned counsel appearing on behalf of the respondents No. 1 to 3-passport authorities submitted that since the application of the petitioner is still pending, the same will be processed and finalized in accordance with law within a period of six weeks from today.

In view of the aforesaid statement made by learned counsel for respondents No. 1 to 3-passport authorities, the present petition is disposed of without observing anything on the merits of the case with a direction to the passport authorities to process and finalize the application of the petitioner strictly in accordance with law within a period of six weeks from today.

Needless to say that in case the petitioner is found to be entitled for the grant of passport, then the same shall be given within a period of next two weeks and in case the passport authorities come to the conclusion that the petitioner is not found to be entitled for grant of passport, then the passport authorities shall pass a well-reasoned speaking order after hearing the petitioner in this regard and that too within a period of three weeks and thereafter the said order shall be communicated to him through written communication.

(JASGURPREET SINGH PURI)
JUDGE

February 09, 2023
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No