

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

108

CWP-24851-2023

Date of Decision: 06.11.2023

Jasleen Kaur Alias Jasleen Kaur Brar**...Petitioner****Versus****Regional Passport Officer and Others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. Shivender Pal, Advocate for
 Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner
 Ms. Shweta Nahata, Central Govt. Counsel,
 for Union of India-respondent No.1

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of communication dated 01.12.2020 (Annexure P-18) whereby application of the petitioner seeking passport was closed.

2. The petitioner was adopted by respondent Nos.4 and 5 vide Adoption Deed dated 12.11.1998 (Annexure P-2). Respondent Nos.4 and 5 are staying out of country and the petitioner is staying with her biological parents. The petitioner is having all the testimonials with particulars of biological parents, however, passport was obtained on 03.10.2000 with particulars of adopted parents.

3. Learned counsel for the petitioner *inter alia* contends that petitioner has never stayed with respondent Nos.4 and 5 and they have never

owned the petitioner as their child. Respondent Nos.4 and 5 are staying out of country and they are not coming forward for getting the adoption deed cancelled, thus, it is very difficult for the petitioner to get adoption deed cancelled.

4. Ms. Shweta Nahata, Advocate, who on advance notice is present in Court on behalf of the respondent No.1, submits that application of the petitioner before respondent No.1 stands closed, thus, she is at liberty to file a fresh application and she is supposed to get the adoption deed cancelled. The biological parents of the petitioner can file suit for cancellation of adoption deed, however, respondent No.1 cannot issue passport with parentage of biological parents.

5. Faced with this, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file fresh application seeking passport before respondent No.1 and get the adoption deed cancelled in accordance with law.

6. Dismissed as withdrawn with aforesaid liberty.

(JAGMOHAN BANSAL)
JUDGE

06.11.2023
Mohit Kumar

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