

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

105

**2023:PHHC:150646
CWP No. 25507 of 2023
Date of Decision:28.11.2023**

Rupinder Khasria and others

....Petitioners

VS.

Union of India and another

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Mitul Singh Rana, Advocate
for the petitioners

Ms. Amrita Singh, Central Govt. Counsel
for the Union of India

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to respondents to re-issue passport to petitioners No. 2 and 3.

2. The petitioners No. 2 and 3 are minor and they were holding passport which expired on 15.09.2020. The petitioners No. 2 and 3 have applied for re-issuance of passport. The respondents are not issuing passport on the ground that mother of the petitioners No. 2 and 3 is not available. The petitioners No. 2 and 3 are not staying with their mother. They are staying with their father and grandfather. At present, father is staying in Germany and he wants to take both the children to Germany.

3. Learned counsel for the petitioners submits that petitioners No. 2 and 3 are not in contact with their mother and they are staying separate for

more than four years. Father of the petitioners No. 2 and 3 has already filed Annexure 'C'.

4. Learned counsel for Union of India, who on advance notice is present in Court, submits that petitioners No. 2 and 3 may be directed to appear before passport authority alongwith their father/grandfather and requisite documents. The passport authority would look into the matter and redress their grievance within six weeks thereafter.

5. Learned counsel for the petitioners agrees to the aforesaid arrangement.

6. In the wake of statements of both sides, the petition stands disposed of with a direction to the petitioners No. 2 and 3 to appear before passport authority on 13.12.2023 alongwith their grandfather and requisite documents.

7. It is made clear that passport authority may send notice to mother of petitioners No. 2 and 3 and get her response prior to deciding application of the petitioner.

(JAGMOHAN BANSAL)
JUDGE

28.11.2023
paramjit

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No