

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

109

**2023:PHHC:151029
CWP No.26579 of 2023
Date of Decision:28.11.2023**

Arsalan Ahmad

....Petitioner

VS.

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Yashvinder Singh, Advocate
for the petitioner

Ms.Shweta Nahata, Senior Panel Counsel
for the Union of India

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to issue his passport.

2. The petitioner is a seven years old child who is staying with his mother. The father of the petitioner is staying separate and his whereabouts are not known to the petitioner. The petitioner on 02.05.2023 applied for passport. The application of the petitioner is still pending because father of the petitioner is not coming forward.

3. Learned counsel for the petitioner submits that mother of the petitioner has filed Annexure 'C' and father of the petitioner is not available.

The whereabouts of the father are not known. No litigation between parents of the petitioner is pending.

4. Learned counsel for Union of India, who on advance notice is present in Court, submits that petitioner may be directed to appear before passport authority alongwith his mother and requisite documents. The passport authority would look into the matter and pass an appropriate order within six weeks thereafter.

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

6. In the wake of statements of learned counsel for parties, the petition stands disposed of. The petitioner is directed to appear before passport authority on 14.12.2023 alongwith his mother and requisite documents.

7. The mother of the petitioner shall file an affidavit before the passport authority to the effect that whereabouts of her husband are not known to her and no litigation is pending between them. The respondents shall be at liberty to send notice to father of the petitioner and get his response before deciding application of the petitioner.

(JAGMOHAN BANSAL)
JUDGE

28.11.2023
paramjit

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