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31.07.2024
Ct. No.02
NB

HIGH COURT AT CALCUTTA
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction

WPA 1434 of 2024

Shikha Mit @ Sikha Mit
Vs.
The State of West Bengal & Ors.

Mr. Hillol Saha Poddar,
Ms. Mousumi Das.
...for the petitioner.

Mr. Subir Kumar Saha Id.AGP.,
Mr. Bikash Singha.
...for the State.

Mr. Sudipta Majumdar Id.DSGL.,
Mr. Tridip Saha.
.....for the UOI.

Affidavit of service filed on behalf of the petitioner is
taken on record.

Report filed on behalf of the State is also taken on
record.

No one appears on behalf of the Passport Authority,
despite service.

Learned counsel appearing on behalf of the
petitioner submits as follows. The petitioner made an
application for issuance of passport on 10.01.2024. She
satisfied all the criteria for being issued a passport. First, it
is not clear whether a proper report has been sent by the
police authorities to the passport authority. In connection
with the passport application number being
CA01C5000222724, the passport authority issued a letter

dated 10.01.2024 purportedly indicating certain shortcoming in the application that the petitioner was charged with a criminal proceeding. But, no charge has been framed in the criminal case where a chargesheet has only been submitted against the petitioner and others. In any event, this is no bar to the issuance of passport. After this, the petitioner went to the Passport Office to meet the authorities at the time and date stipulated. But, she was not entertained and a representation in this regard sent through speed post to the authorities was also not responded to. On 25.07.2024 in *WPA 1432 of 2024*, this Court granted appropriate relief to the husband of the petitioner standing on similar footing.

Learned counsel for the State submits that the police have already sent a report to the concerned passport authority.

It appears that the petitioner's application for issuance of passport is pending with the Passport Authority.

It is the case of the petitioner that although she tried to contact the Passport Authority/respondent no.3 in response to their letter dated 09.04.2024, she has not been entertained. Even her representation has not been considered.

It also appears that the police authorities have, on their part, sent a report to the Passport Authorities as required.

In view of the above, the petitioner shall be at liberty to make further representation before the Passport Authority, which shall include her explanation in respect of the letter dated April 9, 2024 issued by the Passport Authority, within a fortnight from this date. The same shall be sent by speed post with acknowledgement due. Within four weeks from the receipt of such communication, the concerned Passport Authority shall take a decision on the said representation regarding issuance of passport and communicate the decision to the petitioner within a week therefrom.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)