

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

105

**2024:PHHC:018201
CWP No.2912 of 2024
Date of Decision:09.02.2024**

Vishal Bhardwaj

....Petitioner

VS.

Union of India and another

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Shubham Mehta, Advocate
for the petitioner

Ms. Neha Sharma, 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 decide his representation dated 20.11.2023 (Annexure P-6) in a time bound manner.
2. The petitioner was issued passport on 27.05.2011 which expired on 26.05.2021. The petitioner vide application dated 11.02.2023 applied for re-issuance of passport. The petitioner has been summoned in two complaint cases, filed under Section 138 of the Negotiable Instruments Act, 1881. The petitioner has filed representation dated 20.11.2023 seeking issuance of passport but to no avail.
3. Mr. Shubham Mehta, counsel for petitioner submits that petitioner is not seeking permission to visit abroad whereas he is seeking re-

issuance of passport, thus, passport authorities can re-issue passport without permission of the trial court.

4. Notice of motion.

5. Ms. Neha Sharma, Senior Panel Counsel for Union of India, who on advance notice is present in Court, accepts notice and waives service.

6. Ms. Neha Sharma submits that petitioner is facing trial in two complaint cases and as per Notification No. 570 dated 25.08.1993, the petitioner is supposed to approach trial court to get direction to passport authorities for re-issuance of passport. The petitioner cannot be issued passport until and unless there is order of trial court. Nevertheless, the passport authorities would look into representation of the petitioner and pass an appropriate order within three months from today.

7. In the wake of statement of counsel for Union of India, the petition stands disposed of. The petitioner is at liberty to approach trial court for appropriate direction.

(JAGMOHAN BANSAL)
JUDGE

09.02.2024
paramjit

Whether speaking/reasoned: Yes
Whether reportable: No