

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CWP-3459-2024

Date of decision: 16.02.2024

GURDIP SINGHPetitioner

VERSUS

GOVT OF INDIA AND OTHERSRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Ms. Ruby Kaur, Advocate
for the petitioner.
(Through Vide Conferencing)

Ms. Shreyansi Verma, Central Govt. Counsel
for respondents No.1 & 2.

Mr. Gaurav Goel, Advocate and
Mr. Tejinder Singh, Advocate
for respondent No.3-Bank.

VINOD S. BHARDWAJ, J. (Oral)

Prayer made in the present writ petition is for issuing directions to respondent No.2-Passport Office, Jalandhar to issue 'No Objection Certificate' for release of the Bank Guarantee amount of Rs. 10 lakhs which is furnished by the petitioner pursuant to the order dated 12.09.2023 passed by this Court.

2. Having heard learned counsel appearing on behalf of the petitioner at some length as well as the objection raised by the counsel appearing on behalf of respondents No.1 and 2, it is noticed that

CWP-16497-2023 tilted as **“Gurdip Singh versus Government of India and another”** was filed by the petitioner for seeking directions to respondents to issue Passport Clearance Certificate to the petitioner with respect to Passport No. V-3328155. While disposing of the above said writ petition, this Court directed as under:-

“7. The FIR was registered on 04.02.2022 and respondent has not placed on record any documentary evidence of involvement of the petitioner in the aforesaid FIR, thus, in the wake of statements of both sides, the petitioner is directed to furnish undertaking alongwith bank guarantee of Rs.10 lacs which would be valid for 1 year, to the effect that petitioner is not involved in the aforesaid FIR and has correctly disclosed the fact that passport was lost. The respondent shall issue PCC within 1 week from today subject to furnishing of undertaking alongwith bank guarantee of Rs. 10 lacs by the petitioner.”

3. It is evident from a perusal of the above said order that the petitioner had been directed to furnish undertaking alongwith Bank Guarantee of Rs. 10 lakhs to be valid for a period of 01 year, to the effect that the petitioner is not involved in the FIR in issue and that he correctly disclosed the fact that the Passsport was lost.

4. In compliance thereto, the above said Bank Guarantee had been furnished. The order mandated the Bank Guarantee to be valid for a period of 01 year in this regard. The said period has not come to an end. In necessary import, the petitioner seeks a modification of the order that had already been passed on 12.09.2023 in CWP-16497-2023 (supra). The above said prayer cannot be answered or be allowed by a Co-ordinate Bench in a separate writ petition. The present writ petition is accordingly disposed of as

not maintainable for the said cause of action, at this stage, with liberty to the petitioner to file an appropriate application before the competent Court.

(VINOD S. BHARDWAJ)
JUDGE

FEBRUARY 16, 2024
Vishal Sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No