

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102

CWP-3325-2024
Date of Decision: 06.03.2024

Tavisha Aaswani and another ...Petitioners

Versus

Union of India and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Dr. Deepak Jindal, Advocate for the petitioner
Mr. Amit Sharma, Senior Panel Counsel,
for Union of India-respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to the respondents to issue passport to petitioner No.1 who is a minor.
2. The petitioner no.1 is a minor girl child and she is staying with her mother. A case with respect to her custody is pending before the Family Court at Amritsar. The petitioners have applied for passport of petitioner No.1 and passport authority has expressed its inability to issue passport, on the ground that question of custody is pending before the Civil Court and father of the child has specifically raised an objection.
3. Learned counsel for the respondents submits that on account of pendency of suit for custody of the child, the passport authority cannot issue

passport in the absence of permission of the said Court or no objection from the father of the child.

4. Faced with this, learned counsel for the petitioners seeks permission to withdraw the present petition with liberty to approach Civil Court where case of custody of the child is pending.

5. Dismissed as withdrawn with aforesaid liberty.

(JAGMOHAN BANSAL)
JUDGE

06.03.2024
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>