

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

104

**2024:PHHC:060332  
CWP No. 9289 of 2024  
Date of Decision:02.05.2024**

**Kishori Lal**

**....Petitioner**

VS.

**Union of India and another**

**....Respondents**

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Brijesh Kumar, Advocate  
for the petitioner

Ms. Saigeeta Srivastava, Senior Panel Counsel  
for the Union of India

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**JAGMOHAN BANSAL, J. (ORAL)**

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking quashing of order dated 16.02.2024 (Annexure P-12) whereby respondent No. 2 has rejected his application for re-issuance of passport with correct date of birth.

2. Mr. Brijesh Kumar, Advocate *inter alia* contends that petitioner was issued show cause notice dated 12.01.2024 (Annexure P-9) and he filed reply to the same on 23.01.2024 (Annexure P-10) still respondent has passed the impugned order dated 16.02.2024 observing that petitioner has not filed reply within 10 days. The respondent has rejected application of the petitioner seeking passport.

3. Ms. Saigeeta Shrivastava, Senior Panel Counsel for Union of India submits that as per their record, reply was not received within time,

thus, the impugned order came to be passed without considering response of the petitioner, nevertheless, the passport authority, if so directed by this Court, would pass a fresh order.

4. To avoid multiplicity of the litigation and considering the fact that petitioner through speed post had sent his response to show cause notice, this Court finds it appropriate to set aside the impugned order dated 16.02.2024 and direct the respondent to pass a fresh order, considering reply dated 20.01.2024 (Annexure P-10), in accordance with law. The needful shall be done within four weeks from today. It is made clear that the fresh order shall be passed in the light of submissions made in the reply.

(JAGMOHAN BANSAL)  
JUDGE

02.05.2024  
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| Whether speaking/reasoned: | Yes |    |
| Whether reportable:        |     | No |