



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-30112-2024 (O&M)
Date of Decision:07.11.2024

DILPREET SINGH GILL

.... Petitioner

V/S

UNION OF INDIA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Shubham Mehta, Advocate for the petitioner.

SUVIR SEHGAL, J. (ORAL)

1. By way of present writ petition filed under Article 226/227 of the Constitution of India, petitioner has approached this Court, *inter alia*, for issuance of a writ in the nature of mandamus directing respondents No.1 and 2 for issuance of a fresh passport to the petitioner, who is a minor.

2. Counsel for the petitioner submits that an application for issuance of passport was submitted by the petitioner through petitioner's mother on 29.07.2024 and she was issued an appointment receipt, dated 29.07.2024 Annexure P-3, but the respondent authorities are not dealing with the application on the ground that the consent of petitioner's father is lacking and there are some deficiencies in the father's passport. By making a reference to Annexures P-1 and P-2, counsel for the petitioner submits that the petitioner's parents were married on 04.12.2016 and petitioner was born out of the wedlock on 06.12.2017. He submits that although all the requisite documents, including affidavit Annexure P-4, were supplied, but the application is still pending.

3. Advance copy of the petition has been served upon the respondents.
4. Mr. Amit Sharma, Senior Panel Counsel, UOI, has put in appearance on behalf of respondents No.1 and 2 and upon instructions, he submits that the petitioner’s father is living illegally in USA and his consent is mandatory.
5. Be that as it may, counsel for respondents No. 1 and 2 could not dispute that the application for issuance of a passport is pending. As the application submitted by the petitioner is pending for the last more than three months, a direction is being issued to respondent No. 2 to finally decide it in accordance with law, within a period of four months from the date of communication of a copy of this order. In case, respondent No.2 finds that the application is liable to be rejected, it shall pass an order giving reasons for rejection and communicate them to the petitioner.
6. Petition is disposed of.

07.11.2024
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No