



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

115

CWP-30098-2024 (O&M)

Date of Decision: 07.11.2024

KAMALJIT KAUR

... Petitioner

V/S

UNION OF INDIA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Prateek Pandit, Advocate for the petitioner.

SUVIR SEHGAL, J. (ORAL)

1. By way of present petition filed under Article 226/227 of the Constitution of India, petitioner has approached this Court, *inter alia*, for issuance of writ in the nature of mandamus directing the respondents to re-issue the passport to the petitioner.

2. Counsel for the petitioner submits that the passport issued to the petitioner expired in the year 2014 and the petitioner applied for re-issuance on 16.08.2024. He submits that she appeared before the passport authorities and supplied all the requisite documents. He submits that the petitioner is named as an accused in FIR No.162 dated 16.12.2005, lodged under Sections 420, 406 of IPC and Section 24 of Emigration Act, at PS Sadar, Kapurthala, which has been compromised and a cancellation report has been submitted before the competent Court. Counsel submits that despite service of legal notice dated 27.09.2024, Annexure P-4, the application is still pending.

3. Advance copy of the petition has been served upon the respondents.
4. Ms. Komalpreet Chauhan, Senior Panel Counsel, UOI, has put in appearance on behalf of respondents No.1 and 2. She has placed on record a copy of letter dated 03.10.2024 issued by the R.P.O., Jalandhar, intimating the petitioner that he has not approached the respondent authorities with a proper explanation.
5. I have heard counsel for the parties and considered their respective submissions.
6. Giving nature of order proposed to be passed, this Court does not deem it necessary to issue a formal notice to the respondents or to call a response from them.
7. As the petitioner has been served with a communication dated 03.10.2024, she may, if so advised, appear before the respondent authorities within a fortnight from today and furnish the documents sought for. Irrespective of the fact whether the petitioner appears or not, a direction is issued to the respondent authorities to decide the application submitted by the petitioner within a period of two months from the date of communication of a copy of this order. In case, respondent authorities find that the application deserves to be rejected, a detailed order be passed giving reasons for rejection and its copy be communicated to the petitioner.
8. Writ petition is disposed of.

07.11.2024

pooja saini

(SUVIR SEHGAL)
JUDGE

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