



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-30778-2024 (O&M)
Date of Order:10.12.2024

KOMALPREET KAUR AND ANOTHER

.Petitioners

Versus

UNION OF INDIA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gaurav Tyagi, Advocate, for the petitioners.

Mr. Karan Kumar Jund, Sr. Panel Counsel
for Union of India with
Mr. Rajesh Ranjan, Under Secretary, Ministry of
External Affairs, Govt. of India.

ANIL KSHETARPAL, JUDGE (Oral)

1. On 03.12.2024, the following order was passed:-

*“1. On 20.11.2024, the following order was passed:-
“Learned counsel representing the petitioner contends
that petitioner No.2 has applied for issuance of passport,
which is not being processed on the ground of lack of
consent from the father of the minor. He further contends
that relation between petitioner No. 1 and her husband is
strained and various cases are pending in the Courts. He
submits that the respondents do not have an authority to
insist petitioner for obtaining a Court order for issuance
of passport. He also submits that consent from other
spouse before issuing passport to a minor should not be
mandatory in case of strained relationship. Notice of
motion. Mr. Karan Kumar Jund, Senior Panel Counsel
accepts notice on behalf of respondents No. 1 to 3 -UOI
and prays for a short accommodation to file reply. List,
in the urgent list, on 03.12.2024. Reply, if any, be filed*

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before the next date of hearing with a copy in advance to learned counsel representing the petitioner.”

2. The learned counsel representing the respondents prays for an adjournment.

3. It has been noticed that significantly a large number of writ petitions have been filed in this Court complaining non-issuance of passport to a minor child on the ground of lack of consent from either the father or the mother in case there is marital discord between them. The passport authority insists on getting permission from the Court if one of the parents of the child refuses to sign the application form. Prima facie, such objections are resulting in unnecessary harassment to the minor children who are being made to suffer because their parents are having strained relationship.

4. Keeping in view the aforesaid facts, the Secretary, Ministry of External Affairs, Government of India at Delhi, is requested to depute a responsible officer to virtually appear and assist the Court.

5. List on 05.12.2024. 6. It shall be the responsibility of the learned counsel representing the respondents to inform the Secretary, Ministry of External Affairs, Government of India at Delhi.

2. In deference to the aforesaid order, Sh. Rajesh Ranjan, Under Secretary, Ministry of External Affairs, Government of India, is present in Court and states that the passport has already been issued and dispatched to petitioner no.2.

3. Keeping in view the aforesaid facts, the writ petition is rendered infructuous. However, the petitioner shall have the liberty to revisit the court if the passport is not received within one week from today.

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4. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)

JUDGE

December 10, 2024

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No