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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 12427/2024, CM APPL. 51675-51676/2024**

VIJAY KUMAR

.....Petitioner

Through: Mr. Abhay Pratap Singh, Mr. Shekhar Singh, Mr. Sarthak Bhardwaj, Advocates.

versus

UNION OF INDIA AND ANR.

.....Respondents

Through: Ms. Nidhi Raman, CGSC with Mr. Zubin Singh, Ms. Rashi Mishra, Advocates for R-1 to 3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

05.09.2024

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1. The Petitioner's passport has been impounded under the impugned notice dated 29th January, 2024 invoking Section 10 (3)(e) of the Passports Act, 1967¹.
2. The Petitioner has since preferred an appeal before Respondent No. 2 - Joint Secretary (PSP) & CPO, Ministry of External Affairs, New Delhi. The Petitioner grievance is that the said appeal has not been heard and decided till date.
3. At the outset, Ms. Nidhi Rama, Central Government Standing Counsel for the Respondents No. 1 to 3, states that the appeal could not be taken up for want of the appropriate fees not being deposited by the

¹ "the Act"



Petitioner. To this effect, Petitioner points out that he has made an attempt to deposit the fees but could not succeed as the payment did not go through on the online portal, however, the Petitioner duly submitted a paper copy of the same to Respondent No. 2 on 29th February, 2024. The subject fee is pointed out to be only Rs. 25/-. Thereafter, since the appeal was not taken up for adjudication, the Petitioner sent a representation to Respondent no. 2 dated 25th May, 2024. Yet till date the Petitioner has not received information regarding the said appeal from Respondent No. 2.

4. In light of the above, irrespective of the amount of the fees in question, since substantial time has passed since the Appeal has been filed, the Petitioner's fundamental rights ought not to be prejudiced. Therefore, Respondents No. 1 and 2 are directed to dispose of the Petitioner's appeal within a period of six weeks from today.

5. The Petitioner's submission to the effect that criminal proceedings against him have concluded, shall be considered by the Appellate Authority.

6. All rights and contentions of the parties are left open.

7. The present writ petition is disposed of along with pending application(s).

SANJEEV NARULA, J

SEPTEMBER 5, 2024/ab