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

+ **W.P.(C) 14782/2024 & CM APPL. 62098/2024**

MANISHA

.....Petitioner

Through: Mr. Giriraj Subramaniam, Mr.
Simarpal Singh Sawhney, Advocates

Versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Nidhi Raman, CGSC with Mr.
Zubin Singh, Advocate for R-1 to 4

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
22.10.2024

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1. This is the fourth round of litigation between the Petitioner and Respondents concerning Petitioner's application for issuance of passport to her. The present petition assails order dated 20th November, 2023 passed by the Regional Passport Officer rejecting the issuance of a fresh passport to her. It is stated that an appeal bearing No. VIII/402/APP-05/2024 against the said order has also been preferred to the Chief Passport Officer, which is currently pending adjudication.

2. The Petitioner's grievance is that her request for issuance of Indian Passport is not been fulfilled despite repeated directions of this Court. In this regard, the Petitioner places reliance on order dated 22nd March, 2024 in W.P.(C) 4319/2024, whereby this Court had set aside order dated 01st



March, 2024 by the Chief Passport Officer and directed him to await for the verification report of the Petitioner's Birth Certificate and electoral card of the Petitioner and her parents and take a decision, in accordance with law. The said order reads to the following effect:

- "1. The Petitioner has approached this Court challenging the Order dated 01.03.2024, passed by the Chief Passport Officer disposing off the appeal filed by the Petitioner against Order dated 20.11.2023, passed by the Sr. Superintendent, RPO, rejecting the application of the Petitioner for renewal of passport.*
- 2. Learned Counsel for the Petitioner draws the attention of this Court to paragraph No.15 of the impugned Order and more particularly to paragraph No.15(viii) which is the operative portion. It is the contention of the learned Counsel for the Petitioner that if the apprehension is regarding the veracity of the Petitioner's Birth Certificate, electoral card of the Petitioner and her parents then the Chief Passport Officer ought not to have disposed of the appeal and relegated the Petitioner to once again file an application for renewal of Passport.*
- 3. The submission made by the learned Counsel for the Petitioner is a reasonable one.*
- 4. Accordingly, the Order of the Chief Passport Officer is set aside and the Chief Passport Officer is directed to await for the verification report of the Petitioner's Birth Certificate and electoral card of the Petitioner and her parents and then take a decision regarding renewal of the Passport of the Petitioner in accordance with law.*
- 5. Needless to state that if documents of the Petitioner are found genuine, the Chief Passport Officer is directed to take a decision regarding renewal of the Passport of the Petitioner in accordance with law.*
- 6. The Writ Petition is disposed of along with the pending applications, if any."*¹

3. It is contended that in compliance with the afore-noted order, the Chief Passport Officer directed the Petitioner and her mother to visit the Passport Office and submit the Personal Particular Form, which was duly complied with by the Petitioner. Further, some officials of the Ministry of Home Affairs had also visited the Petitioner's residence on 06th June, 2024

¹ The said order was modified by this Court on 03rd April, 2024 replacing the phrase "renewal of passport" to be read as "issuance of fresh passport" in order dated 22nd March, 2024.



and inspected the original documents. However, no decision has been forthcoming by the Chief Passport Officer.

4. In such circumstances while the Petitioner had made several prayers, in the alternative the Petitioner seeks directions to Chief Passport Officer to decide the Appeal No. VIII/402/APP-05/2024 filed against the order dated 20th November, 2023 passed by the Regional Passport Officer, in a timebound manner.

5. In response, Mr. Zubin Singh, counsel for Respondents No. 1 to 4, states that the appeal shall be decided within a period of eight weeks from today.

6. Considering the above, without examining the issue on merits, Chief Passport Officer is directed to decide the appeal within the eight weeks from today. It understood that the timelines specified by counsel for the Respondents shall be adhered to.

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

8. The present petition, along with pending application, is disposed of.

SANJEEV NARULA, J

OCTOBER 22, 2024/ab