

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10356 of 2023

Ashutosh Kumar @ Ranu Tiwari Son of Rajesh Chandra Tiwari Resident of Village-Nilami Kotwa (Tiwari Tola), P.O.-Rudrapur, P.S.-Kateya, District-Gopalganj, Bihar-841437.

... .. Petitioner

Versus

1. The Union of India through the Secretary, Ministry of External Affairs, Government of India, New Delhi.
2. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
3. The Secretary, Ministry of External Affairs, Government of India, New Delhi.
4. The Secretary, Ministry of Ports, Shipping and Waterways, Government of India, New Delhi.
5. The Director General of Shipping, Directorate of Shipping, Ministry of Ports, Shipping and Waterways, Government of India, New Delhi.
6. The Director General of Police, Government of India, New Delhi.
7. The Regional Passport Officer, Patna, Regional Passport Office, D Block, Maurya Lok, Patna.
8. The S.H.O., Kateya Police Station, Kateya, District-Gopalganj, Bihar.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Pratyush Kumar, Advocate
For the Respondents	:	Mr. Additional Solicitor General
For the State	:	Mr. Md. Nadim Seraj, GP-5
	:	Mr. Shahbaj Alam, AC to GP-5
For the UOI	:	Dr. Krishna Nandan Singh, Sr. Advocate (ASGI)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

10 10-07-2025 Heard learned counsel for the petitioner, learned counsel for the State and learned Senior Counsel for the UOI.

2. Learned counsel for the petitioner in the present writ application has prayed for the grant of following reliefs:-

(i) For issuance of writ of mandamus to the respondents to renew the Passport of the petitioner bearing Passport No.- Z2481467 and thereby protect the right to travel



abroad protected under Article 21 and further the right to practice the profession under Article 19(1)(g) which is being denied by the respondents, despite several requests, is purely illegal, biased and arbitrary manner.

(ii) For issuance of appropriate Order/Orders, Direction/Directions to the respondents to act in accordance with the gazette notification, *vide* G.S.R. No. 570(E), dated 25/08/1993 issued by the Ministry of External Affairs read with the office memorandum, *vide* no. VI/401/1/5/2019, dated 10/10/2019 issued by the PSP Division of the Ministry of External Affairs, Government of India to protect the fundamental rights of the citizens of India.

(iii) For any other Direction/Directions which your Lorships may deem fit and proper in the facts and circumstances of the instant case.

3. Learned counsel for the petitioner submits that on 18.12.2022 he had applied for the renewal of passport by filling up the passport application form of the Government of India, Ministry of External Affairs (Annexure-2) and as per the declaration required in the said passport application form, the learned counsel for the petitioner had very categorically affirmed that as on the date when he had filled up the form i.e.,



18.12.2022, the petitioner was not charged with criminal proceeding nor there was any arrest warrant or summon pending before any Court of law in India against him. This solemn information given by the learned counsel for the petitioner is not in dispute because on 18.12.2022, he was actually not charged in any criminal proceeding nor was any arrest warrant or summon pending before any Court of law.

4. The learned Senior Counsel appearing for the Union of India submits that the passport renewal of the petitioner was not done based on the police verification report and that there was actually no infirmity in the declaration given by the petitioner as required by the passport application form.

5. Given the fact that the declaration given by the petitioner in the passport application form submitted on 18.12.2022 was proper and correct, therefore, this Court is of the view that the renewal of the petitioner's passport should not have been turned down and the file should not have been closed.

6. For the aforesaid reasons, this Court directs the Respondent No. 7 (The Regional Passport Officer, Patna, Regional Passport Office, D Block, Maurya Lok, Patna) to renew the passport of the petitioner subject to the petitioner filling up the renewal form afresh which the petitioner



undertakes to submit within one week. Once such a request is made, Respondent No. 7 (The Regional Passport Officer, Patna, Regional Passport Office, D Block, Maurya Lok, Patna) will carry out the renewal process and immediately issue renewed passport to the petitioner.

7. Accordingly, the writ application is allowed to the aforesaid extent.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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