

307 **21.11.**
2025

Ct. No.
551

Ab

WPA 3407 of 2025

Mousumi Mondal
Vs.
Union of India and others.

Mr. Timir Baran Saha.
... for the petitioner.

Mr. Asok Kumar Chakraborti, Ld. ASG,
Mr. Arijit Majumdar.
... for the Union of India.

1. The petitioner alleges arbitrary action on the part of the respondent-Passport Authorities in not issuing passport to the petitioner despite the petitioner having applied therefor on October 18, 2024.
2. Learned Advocate appearing on behalf of the petitioner invites the attention of this Court to a printout from the Passport Seva Portal of the Passport Authorities and submits that the application made by the petitioner has been kept pending and the status of the petitioner’s application is being displayed as “Police Verification Report is not clear and application is under review at Regional Passport Office”.
3. It is submitted on behalf of the respondent-Passport Authorities that the petitioner’s application was not considered for issuance of passport inasmuch as the petitioner had suppressed the factum of pendency of a criminal

case against her. In such regard, Court's attention is invited to a Police Verification Report, which reveals that the petitioner is involved in a criminal case.

4. Relying on a notification dated August 25, 1993 issued by the Ministry of External Affairs, it is further submitted that in situation where a criminal case is pending against an applicant for passport, such person can be granted passport only if he/she produces an order from the concerned trial Court permitting the applicant to depart from India and if such person gives an undertaking in terms of the provisions of the said notification.
5. Learned Advocate appearing on behalf of the petitioner, submits that although by a letter dated January 01, 2025 the petitioner was informed about the fact that passport was not being issued to the petitioner due to the pendency of a criminal case, however, no information was provided to her as regards the requirement of producing an order from the Trial Court permitting the petitioner to depart from India and of furnishing an undertaking in terms of the relevant provisions of the said notification.
6. Having heard the learned Advocate appearing on behalf of the respective parties and having

considered the material on record, it is now clear that the petitioner was not issued passport on the ground of suppression of the fact of pendency of a criminal case against her.

7. In such view of the matter, the Passport Authorities cannot be faulted for non-issuance of the passport. No order to issue passport in the name of the petitioner, can therefore be passed in this writ petition.
8. WPA 3407 of 2025 stands disposed of with the above observations.
9. The petitioner shall, however, be free to submit the documents including the order of learned Trial Court and undertaking as may be required by the Passport Authorities for the purpose of issuance of passport in her favour, in accordance with law.

(Om Narayan Rai, J.)

