

employment was thus sought.

4. By the impugned order, the learned Special Judge rejected the said application on the premise that the application was preferred seeking permission to obtain a passport to travel abroad on a cruise ship.

5. The learned counsel for the applicant submits that the applicant indeed holds the passport, and the no objection of the trial Court for obtaining the passport was never sought. The learned Special Judge has misconstrued the nature of the application and the prayers therein.

6. The submission appears well founded. Evidently, the applicant was seeking permission to travel abroad for the purpose of the employment. It was, inter alia, asserted that he had experience of working in Hotel Industry.

7. The learned Special Judge misconstrued the prayers in the application and proceeded to decide it, as if the applicant was seeking no objection to obtain the passport.

8. In the aforesaid view of the matter, the impugned order cannot be sustained. The application seeking permission to travel abroad for the purpose of employment is required to be remitted back to the

learned Special Judge for a decision afresh in the light of the nature of, and the prayers, in the said application.

9. Hence, the following order:

O R D E R

- i) The application stands allowed.
- ii) The impugned order stands quashed and set aside.
- iii) The application (Exhibit-25) in Special Case No. 53 of 2021 stands restored to file of the learned Special Judge.
- iv) The learned Special Judge is requested to hear and decide the said application keeping in view the nature of the said application, and the prayer therein, after providing an opportunity of hearing to the parties.

Application disposed.

(N.J. JAMADAR, J)