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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 12731/2023 CM APPL. 31873/2025(*Joint Application for referring the Parties to Mediation*)

MOHINI SHEORAN AND ANR

.....Petitioner

Through: Mr. Shahid Ali, Mr. Mohd. Salman
and Mr. Sameer, Advocates.

versus

UNION OF INDIA THROUGH

MINISTRY OF EXTERNAL AFFAIRS AND ORS.....Respondents

Through: Mr. Farman Ali, Advocate.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

15.10.2025

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1. The present petition has been filed by the applicant/petitioner seeking that respondents be directed to issue passport to the petitioner no.2 (who is the minor daughter of petitioner no.1) without requiring and insisting upon filing/submitting the consent and/or photocopy of the passport of respondent no.3 (the father of petitioner no.2).

2. Mr. Farmaan Ali, learned standing counsel for the respondents submits that he has written instructions to the following effect:

“2. In this regard it is informed that in the instant case applicant’s previous passport application could not be processed due to objection from the father wherein he had stated that case for custody of child is subjudice. Subsequently, said passport application was closed on 30.01.2024 due to efflux of time.

3. Further on the point of notification, or Memorandum issued recently by the Ministry regarding issuance of passport to the minor child particularly in cases where the application is made by only one parent, the Ministry of External Affairs, New Delhi has issued new



guidelines in this matter. Under the new guidelines, if there is an ongoing court case for divorce/judicial separation (including on the issue of custody of minor child) and court has not given any order prohibiting the issue of passport, without the consent of the father/mother, passport application of minor may be processed for issue of passport subject to confirming the facts from the other parent after giving him sufficient time to reply on this point. Copy of the revised Annexure-C wherein para-2(e) is applicable in the instant case, is enclosed herewith this letter.”

3. He submits that in the event of a revised application being submitted by the petitioner, in accordance with the amended guidelines with a duly filled copy of ‘Annexure-C’ of the said rules, the requisite steps shall be taken up to process the application to issue passport in the name of petitioner no.2 after completing with all the formalities.
4. Learned counsel for the petitioner submits that a fresh application in consonance with the revised guidelines has already been made on 07.06.2025 alongwith a duly filled Annexure-C Form.
5. Learned standing counsel for the respondents submits that the concerned Department shall bestow its urgent consideration to the said application and take requisite steps to issue passport to the petitioner no.2, after completion of necessary formalities as per the applicable guidelines.
6. In case there is any deficiency/shortcoming, the same shall be duly intimated to the petitioner and an opportunity to overcome the same be given to the petitioner.
7. Let the aforesaid process be carried out expeditiously and completed within a period of 8 weeks from today.
8. The present petition stands disposed of in the above terms.

SACHIN DATTA, J

OCTOBER 15, 2025/at