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2026

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NANDY

(DO)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/12912/2026

SHUBHENDU BHATTACHARJYA
VS
THE STATE OF WEST BENGAL & ORS.

Mr. M.N. Roy, Advocate
Mr. Biswarup Nandy, Advocate

.....for the Petitioner

Mr. Sukumar Bhattacharya, Advocate
Ms. Amrita Pandey, Advocate

.....for the Union of India

Ms. Aparna Banerjee, learned AGP
Mr. Brijendra Pratap Singh, Advocate

.....for the State

1. The petitioner is aggrieved that his application for obtaining a passport has been rejected.
2. The petitioner is a government employee and the rejection of his passport is ostensibly on the ground that his employer, the Government of West Bengal, has by its letter of 02.06.2026 to the concerned authority, directed an information to be conveyed to the passport authorities not to issue any passport in his favour unless the requisite no-objection certificate is issued by the department.
3. The petitioner being a government employee is bound by the Rules of an employer-employee relationship, particularly, since the employer is the State of West Bengal.
4. Ms. Banerjee, learned AGP, appearing for the State respondents, submits that there are four pending disciplinary proceedings against the petitioner. Of these, only one has been disposed of. Another has been decided and the punishment meted out there, has been carried in appeal. There are, however, two proceedings which seem to be pending from 2023.
5. The respondent no. 2 is directed to consider the

representation of the petitioner dated 14.04.2026, in the light of the fact that the petitioner requires the passport only for the limited purpose of ensuring his daughter's admission to a foreign University. The admission is subject to the fact that both parents must have valid and subsisting passports.

6. The State respondent is directed to revisit issuing a 'no objection certificate' (NOC), only in the light of the petitioner's daughter's educational purpose. If they decide to issue an NOC, it will be subject to conditions that they may deem fit from the petitioner, including furnishing a bond or an undertaking or both.
7. In the event, the respondent authority decides to issue a no-objection certificate, the Passport Authority, upon an appropriate application being made by the petitioner, will consider his application and issue the passport, if found otherwise eligible and in accordance with the provisions of the Passports Act, 1967.
8. The issuance of the passport will, however, not mean that the petitioner will be entitled to travel abroad without the leave of the Court where the proceedings are pending adjudication.
9. With the afore-stated directions, the writ-petition is **disposed of**. No order as to costs.
10. Urgent Photostat Certified Copy of this order be given to the parties, if applied for, on priority basis.

(Reetobroto Kumar Mitra, J.)

