07
Regular

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

WP(C) 2432/2025

YASIR MUSTAFA KHOJA ….. Petitioner (s)

Through: Mr. M A Wani, Adv.

V/s

UNION OF INDIA TH.SECRETARY TO EXTERNAL AFFAIRS AND ORS

….. Respondent(s)

Through: Ms. Bisma, Adv.
vice Mr. T M. Shamshi, DSGI.

Coram:

Hon'ble Mr. Justice Sanjay Dhar, Judge

ORDER
06.11.2026

1. The petitioner, through the medium of present petition, is seeking a direction upon the respondents to issue passport in his favour.
2. It has been submitted that the petitioner had applied for issuance of passport with respondent No. 3 vide Application Reference No. 240004446542 dated 09.023.2024. It has been further submitted that as per the report of the CID J&K Police, the case of the petitioner for issuance of passport has not been cleared. Thereafter respondent No. 3 issued communication dated 02.09.2025 whereby he was asked to furnish clarification/explanation within 30 days. It has been

submitted that in response to the said communication, the petitioner has submitted a detailed affidavit along with reply indicating therein that neither petitioner nor any of his family members has indulged in any kind of subversive activities and that there is nothing adverse against him or his family in any police record. It has been submitted that one of the step brothers of the petitioner had crossed LoC in early 1990s when the petitioner was not even born but that cannot form a ground for rejection of his passport.

3. In the reply filed by respondent 1 and 3, it has been submitted that the petitioner had applied for reissuance of passport in the year 2024 and J&K CID furnished PVR as "Not Cleared" vide report dated 26.06.2025. Show cause notice was issued to the petitioner and he responded to the same, whereafter case of the petitioner has been closed and he has been advised to apply afresh for issuance of passport.
4. Respondent No. 2-ADGP CID has filed his reply to the petition in which it has been submitted that two brothers of the petitioner have crossed over to PoK for obtaining arms training and it has been reliably learnt that one more cousin of petitioner has exfiltrated to Pok for unlawful purpose. It is further submitted that all the aforesaid individuals are

indulging in anti-India and secessionist activities across line of control thereby posing a continuous threat to the security, integrity and sovereignty of the nation.

5. Since the respondent No. 3-Passport Authority has already closed the application of the petitioner but it seems that no order has been passed by the said authority. At least no order has been furnished to the petitioner to enable him to challenge the said order. Therefore, the instant petition is disposed of with a direction to respondent No. 3 to pass a detailed order with regard to rejection or otherwise of the application of the petitioner for grant of passport by assigning reasons therefor. Needful shall be done within 15 days from the date a copy of this order is made available to the said respondent. In case any adverse order is passed by respondent No. 3, the petitioner shall be at liberty to avail appropriate remedy as is available under law.

6. Disposed of as above.

(Sanjay Dhar)
Judge

SRINAGAR
06.11.2026
Aasif