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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4304/2025**

MOHD MUDASER AHMADI

.....Petitioner

Through: Mr. Harinder Kumar Bakshi,
Advocate.

versus

THE JOINT SECRETARY (PSP) AND CPO, AND ANR

.....Respondent

Through: Ms. Avshreya Pratap Singh Rudy,
CGSC with Mr. Ankit Khatri, Ms.
Usha Jamnal, Ms. Nyasa Sharma,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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10.03.2026

1. The instant petition is for the following reliefs:-

“1. Quash/ Set aside the order of the Joint Secretary (PSP) And Chief Passport Officer dated 27/12/2024 rejecting the applications of the Petitioner's minor children namely Sara Ahmadi and Aryan Ahmadi for issue of Certificate of Identity (IC) and give direction Respondent to issue Certificate of Identity to Petitioner's Minor Children.

2. Pass any other order which this Hon'ble court deems fit and proper in view of the facts and circumstances of this case.”

2. Heard learned counsel appearing on behalf of the parties.

3. Paragraph nos. 18 and 19 of the short affidavit filed by respondent nos.1 and 2 are extracted as under:-

“18. It is submitted that FRRO reiterated that the Petitioner's children were bom while Mrs. Shugufa Ahmadi was overstaying in India and



therefore the children are not entitled to the benefit of the aforementioned section of the Citizenship Act, 1955. It is further submitted that FRRO clarified that it does not deal with Citizenship Applications and the same may be taken up with the concerned Authority i.e. Distt. Magistrates/Sub Divisional Magistrates working under the Citizenship wing of the Ministry of Home Affairs. It is pertinent to mention that the Petitioner was advised to seek the requisite travel/identity documents (like passport, emergency certificates etc.) of the children from the Afghanistan Embassy (origin country of their mother Mrs. Shugufa Ahmadi) and seek appropriate the services. A True Copy of the Order dated 21.02.2025 passed by the FRRO to the Petitioner's Representation dated 03.02.2025 is annexed herewith and marked as ANNEXURE R-07.

19. It is submitted that in view of the foregoing facts and circumstances, the Petitioner may be advised to submit a fresh Application for issuance of Col strictly in accordance with the provisions of the Passports Act, 1967 and the Passport Rules, 1980 framed thereunder, along with all requisite supporting documents, including evidence of efforts made to secure nationality for the minor children. It is further submitted that upon receipt of the complete Application and supporting documents, the Ministry shall examine and process the case in accordance with the extant Rules and Guidelines."

4. The petitioner, therefore, is granted liberty to apply in accordance with the extant procedure as indicated hereinabove.
5. If the petitioner does so, let the said application be considered with due expedition without any further delay.
6. With the aforesaid observations, the instant petition stands disposed of.
7. All rights and contentions of the parties are left open.

PURUSHAINDRA KUMAR KAURAV, J

MARCH 10, 2026

Nc