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

% ***Date of Decision: November 03rd, 2026***

\# **CNR No. DLHC010254572026**

\+ W.P.(C) 7857/2026 & CM APPL. 38027/2026, CM APPL. 38028/2026

USHA SHARMA .....Petitioner

Through: Mr. Sudhanshu Sikka, Ms. Nancy Thapar, Ms. Anjali Mathur & Mr. Himanshu Maan, Advs.

Versus

GOVERNEMENT OF RAJASTHAN & ORS. .....Respondents

Through: Mr. Kartikeya Asthana, Panel Counsel with Ms. Siddhidatri Jha, Adv. for R1 & 2.
Mr. Mukul Singh, CGSC with Mr. Aryan Dhaka & Mr. Vivek Nagar, Advs. for R3 & 4.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. By way of the present petition, the petitioner seeks following prayers:

> *"a. That this Hon'ble Court by a Writ in the nature of Mandamus or any other appropriate Writ, direction or order to direct the Respondent no. 1 & 2 to immediately cancel birth certificate having registration no. 953/1959 issued on 15.11.2018 by the respondent no. 2;*
>
> *b. That this Hon'ble Court by a Writ in the nature of Mandamus or any other appropriate Writ, direction or order to direct the Respondent no. 1 & 2 to immediately*

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initiate appropriate inquiry with regard to alteration and Tempering in the Register of records of Birth Certificate maintained by the Respondent no. 2 and take appropriate action against Mr. Ashok Kumar Chandrul and concerned officials of the Respondent no. 2 for alteration and Tempering in the Register of Birth Certificate done for issuance of birth certificate having registration no. 953/1959 issued on 15.11.2018 by the Respondent no. 2

c. That this Hon'ble Court by a Writ in the nature of Mandamus or any other appropriate Writ, direction or order to direct the Respondent no. 3 to not act upon any complaint on the Passport no. R7517454 of the passport of the Petitioner without verifying the credentials and authenticity of the complaint and the documents;

d. Direct the Respondent no. 3 to initiate appropriate legal action against the said complainant namely Mr. Pramod Sharma and Mr. Ashok Kumar Chandrul for filing false and frivolous complaint against the Petitioner for submitting wrong information regarding father's name, date of birth, mother's name for getting passport issued to the petitioner vide passport no. R7517454 issued/renewed by the respondent no. 2 on 13.03.2018;

e. Direct the Respondent no. 3 to renew the passport of the Petitioner as and when required without raising any further objections without verifying the facts; f. Direct the Respondent no. 4 to take appropriate action and investigate with regard to the Forged Birth Certificate dated 15.11.2018, which is being used against the Petitioner causing direct threat to the Petitioner and may cause irreparable loss and harm to the Petitioner;

f. cost of the Petition be provided for; and"

2. The petitioner claims that she had obtained renewal of her *passport bearing No. R7517454* on 13.03.2018. Subsequently, she received an objection letter dated 06.12.2018 from the Regional Passport Office, pursuant to a complaint alleging that incorrect particulars regarding her father's name, mother's name and date of birth had been furnished by her for obtaining the passport. The Petitioner alleges that the complaint was founded upon a *birth*

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certificate bearing Registration No. 953/1959, issued on 15.11.2018 by the Alwar Municipal Corporation, which had allegedly been procured by her relatives, namely, Mr. Pramod Sharma and Mr. Ashok Kumar Chandrul, by manipulating the municipal birth register and inserting her name therein in collusion with officials. The Petitioner states the said certificate was misused by her relatives, to raise objections at the time of renewal of her passport and apprehends that the same would be repeated.

3. On this basis, the petitioner essentially seeks cancellation of the disputed Birth Certificate stating that the same were made on the basis of forged and fabricated documents and procured on the basis of manipulation and tampering with the birth register maintained by Respondent No. 2.

4. Evidently, the very nature of the dispute raised in the present petition involves adjudication of disputed questions of facts, particularly with regard to the genuineness of the disputed birth certificate, the circumstances in which the entry bearing the petitioner's name came to be incorporated in the municipal register and the alleged role of the private individuals as well as the concerned municipal officials. Determination of these issues would necessarily require examination and appreciation of evidence, including the original records maintained by the concerned municipal authority, and cannot appropriately be undertaken in proceedings under Article 226 of the Constitution of India. The same can only be done by appropriate forum.

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5. Insofar as the apprehension that the private individuals may initiate complaints in future before the Regional Passport Office, is concerned, the same by itself, cannot furnish a basis for issuance of a blanket direction restraining the statutory authorities from examining any such complaint that may be received hereafter. Needless to state, any complaint received by the concerned authority would have to be examined in accordance with law and on its own merits, after due verification of the material placed before it.

6. Equally, the petitioner's apprehension regarding possible objections at the time of renewal of her passport is, at this stage, premature.

7. In view of the aforesaid, this Court is not inclined to exercise its writ jurisdiction for adjudication of the disputed allegations raised in the present petition. The petitioner is at liberty to pursue appropriate remedies in accordance with law

8. It is clarified that this Court has not expressed any opinion on the merits or genuineness of the disputed birth certificate or the allegations of tampering and forgery levelled by the petitioner.

9. The writ petition is dismissed, along with pending application(s), if any.

AMIT MAHAJAN, J

NOVEMBER 3, 2026
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