

2025:PHHC:034365



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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP-3871-2025

Date of Decision: 17.03.2025

Mohit Jit (Minor) Through Mother Rajni Rani

..... Petitioner

Versus

Union of India and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Shubham Mehta, Advocate
for the petitioner.

Ms. Shreyasi Verma, Central Government Counsel,
for the respondents.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Mandamus for directing the respondents to issue the passport of petitioner (minor) on the basis of consent of his mother and without taking the consent of his father, who is presently residing in Italy.

2. Learned counsel for the petitioner submits that the petitioner is unable to get the consent of his father, who is presently residing in Italy and works as Fisherman and regularly remains on a ship. It is submitted that he has also virtually deserted his wife as he has not returned home for the last almost fifteen years.

3. Learned counsel for the respondents, in response to the said averment made by learned counsel for the petitioner, submits that if that is the reason for not submitting the consent of the father of petitioner then the petitioner (minor) can apply for issuance of passport by submitting a fresh

application as per Form Annexure 'C' before the concerned authorities, and if he does so, the same would be considered and decided, in accordance with law.

4. Learned counsel for the petitioner submits that keeping in view the aforesaid submissions made by learned counsel for the respondents, he may be permitted to withdraw the instant writ petition with liberty to the petitioner (minor) to submit a fresh application as per Form Annexure 'C', seeking issuance of his passport, before the concerned authorities; however, it is prayed that a time bound direction may be issued to the respondent-authorities to take final decision on the said application.

5. Keeping in view the aforesaid submissions made by learned counsel for the parties, the present writ petition is dismissed as withdrawn with liberty to the petitioner to submit a fresh application as per Form Annexure 'C', seeking issuance of passport of the petitioner (minor), before the concerned authority within a period of four weeks from today. In case, any such application is submitted on behalf of the petitioner (minor) before the respondent-authorities within the aforesaid stipulated period of time, the same shall be considered and decided, in accordance with law, within a period of six weeks thereafter.

6. All pending application(s), if any, shall also stand closed.

17.03.2025

Apurva

**(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No