
(2014) 11 J&K CK 0014

In the Jammu And Kashmir High Court

Case No : O.W.P. No. 1781 Of 2013 and C.M.P. No. 2899 Of 2013

Ismail Mir

APPELLANT

Vs

State and Others

RESPONDENT

Date of Decision : 29-11-2014

Acts Referred:

Citation : (2014) 4 JKJ 29

Hon'ble Judges : Mohammad Yaqoob Mir, J

Bench : Single Bench

Advocate : Arshad Andrabi, Advocates for the Appellant; R.A. Khan, A.A.G, Advocates for the Respondent

Judgement

Mohammad Yaqoob Mir, J.—Learned counsel for the petitioner would contend that the passport has not been issued on the ground that the

respondent No. 3 has submitted adverse report against the petitioner. Reply has been filed, perusal of which reveals that the respondent Passport

Authority has considered the case of the petitioner for issue of passport but same has been refused. In support thereof, copy of the communication

dated 11.05.2014 addressed to the petitioner, has been annexed with the reply.

2. In view of the aforesaid development, petitioner No. 1 had a right of filing appeal to the Joint Secretary (CPV) and Chief Passport Officer,

Ministry of External Affairs, Patiala House, New Delhi (Appellate Authority) under the Passport Act, he had been conveyed to avail within a

period of 30 days, which he has not.

3. Learned counsel for the petitioners would contend that the grounds on the basis of which issue of passport has been refused are totally

imaginary, irrelevant and do not, in any manner, disentitle the petitioner No. 1

from getting passport because he cannot be held responsible or liable for the activities of others, if at all substantiated.

4. In view of the order passed by the Passport Officer on 11.4.2014 refusing issue of passport, petition is rendered infructuous. It is now for the petitioner to work out remedies as shall be available to him as against the said order.

5. Disposal of this writ petition having been rendered infructuous shall not preclude the petitioners from availing the appropriate remedy for redressal of their grievances as well as against the order of refusal and in projecting all grounds as shall be available to them. Disposed of as above.