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

+ CONT.CAS(C) 158/2017 & C.M.No.7070/2017

LOBSANG WANGYAL

..... Petitioner

Through

Mr.Simarpal Singh Sawhney with
Mr.Sidhant Krishan Singh, Advocates.

versus

PRADEEP KUMAR SINHA & ORS

..... Respondents

Through

Mr.Akshay Makhija, CGSC.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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21.02.2017

Present contempt petition has been filed alleging wilful disobedience of the order dated 22nd September, 2016 passed in W.P.(C) No.4275/2016, wherein it was held that petitioner is an Indian citizen and respondents were directed to issue an Indian Passport to the petitioner within a period of four weeks in accordance with the rules.

Learned counsel for petitioner states that instead of complying with the aforesaid direction, Regional Passport Officer, Shimla, sent two show-cause notices dated 21st November, 2016 and 22nd December, 2016 stating that there is an adverse police verification report and asked the petitioner to furnish an explanation regarding the circumstances under which he had suppressed the material information in his passport application.

It is the petitioner's case that the aforesaid show-cause notices are vague as they do not require the petitioner to furnish or disclose any specific information.

Mr. Akshay Makhija, learned CGSC, who appears on advance notice, states that the petitioner's application for passport has been rejected on the ground that the petitioner is not a permanent resident of the given permanent address. He states that though the petitioner's status as an Indian citizen has been accepted, yet the application has been rejected as the permanent address given in the form is not correct.

After hearing both the parties, this Court is of the view that the present case does not fall within the ambit of wilful disobedience of judgment or order passed by the Court. Accordingly, the present contempt petition is not maintainable.

However, as the respondents have now disclosed that the petitioner's application for passport has been rejected as the permanent address mentioned in the form does not tally, this Court directs the petitioner to approach the Regional Passport Officer, Shimla with requisite documents to satisfy him with regard to his permanent address, within a period of two weeks. In the event, the Regional Passport Officer, Shimla is approached within the stipulated time, he is directed to re-consider the petitioner's application in accordance with rules within a further period of four weeks.

With the aforesaid directions, present contempt petition stands disposed of.

Order *dasti*.

MANMOHAN, J

FEBRUARY 21, 2017
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