

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2174 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

MANGANLAL JHINABHAI PATEL

Versus

UNION OF INDIA

Appearance:

MR SANDEEP N BHATT for Petitioner

MR ANANT S. DAVE, Addl. Central Govt.
Standing Counsel for the respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 30/03/2001

ORAL JUDGEMENT

Rule. Mr. Anant S. Dave, Addl. Central
Government Standing Counsel appears and waives service of

Rule on behalf of the respondent authority.

2. The petitioner has moved this petition for a direction to make correction of his name as well as place of birth which have been wrongly in the passport bearing No.K-883390 issued to the petitioner on 11-3-1992.

3. The petitioner has moved an application before the respondent on 1-3-2001 for issuing a fresh passport with aforesaid correct name of the petitioner as "Maganlal" from "Maganbhai" and place of birth as "Dabhalai-Navsari" from "Nagdhara-Valsad" but that application has not been entertained. However, the petitioner has been informed by the respondent authority that the respondent authority has no power or authority to make correction with regard to his name and place of birth in the passport as requested by the petitioner unless and until some order in that regard is passed by the Court of law.

4. In the facts and circumstances of this case, this petition is being disposed of with a direction to the respondent authority to entertain the application filed by the petitioner on the basis of the documents filed in support of his application in accordance with law and if the respondent finds sufficient material for correction of name and place of birth of the petitioner then the respondent is directed to make correction with regard to name of the petitioner as "Maganlal" from "Maganbhai" and place of birth as "Dabhalai-Navsari" from "Nagdhara-Valsad" and issue a fresh passport with correct date of birth and name of the petitioner as aforesaid within a period of four weeks from the date of receipt of writ of this Court or certified copy of this order, whichever is earlier. The respondent authority will be at liberty to pass appropriate order with regard to the costs of these proceedings. Rule is made absolute.

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/JVSatwara/