

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
SPECIAL CIVIL APPLICATION No 4883 of 2002
For Approval and Signature:
Hon'ble MR.JUSTICE P.B.MAJMUDAR

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgement?
 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

USHABEN DINESHBHAI JANI

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MS PURVI M IYER for the Petitioner.
..... for Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 10/05/2002

ORAL JUDGEMENT

Rule. Mr.N.J. Shah, for Mr.D.N. Patel, waives
service of rule on behalf of the respondent.

With the consent of the parties, the matter is
taken up for hearing today.

It is not in dispute that the petitioner has not
yet submitted any application for passport. However, it
is the say of the petitioner that when the petitioner
went to submit the application, it was not accepted as
there is a discrepancy in the birth dates mentioned in
the School Leaving Certificate and the Birth Certificate.
Mr.Shah for Mr.D.N.Patel submits that the petitioner,
along with the application, may file appropriate

affidavit and may submit whichever document on which the petitioner wants to rely. If the petitioner submits only the Birth Certificate, the authority will consider only the said piece of evidence. Whatever document the petitioner submits along with the passport application, the same will be taken into account. He further submitted that the authority has never insisted that only the School Leaving Certificate should be annexed. Under these circumstances, the learned Advocate for the petitioner submits that the petitioner will submit an appropriate application, along with necessary documents in the nature of extract from the Birth and Death Register. If any application for passport is accordingly submitted, the authority may accordingly take decision as early as possible and expeditiously.

In view of the aforesaid directions, nothing further is required to be done in this matter.

The petition is accordingly disposed of. Rule is made absolute to the aforesaid extent, with no order as to costs.

Direct service is permitted.

10th May, 2002 (P.B. Majmudar, J.)

(apj)