

THE HON'BLE SRI JUSTICE RAVI NATH TILHARI

WRIT PETITION No.6108 of 2023

JUDGMENT:-

1. The matter pertains to the issuance of the passport for which the petitioner was asked to furnish the details of the criminal case against him.

2. Ms. Kota Krishna Deepthi, learned counsel for the petitioner submits that the writ petition was filed making the following averment in Para No.11 of the affidavit:-

".....no criminal proceedings are pending before any criminal Court as on today against me and no charge-sheet is filed against me in respect of the alleged crime and till today in respect of the alleged criminal case, no cognizance is taken by the criminal Court....."

3. She submits that the charge sheet has been filed inter alia against the petitioner and the cognizance has also been taken by the Court concerned on 27.11.2022, being C.C.No.537 of 2022 on the file of I Additional Junior Civil Judge, Sattenapalli, but due to bona fide mistake the correct fact could not be stated though copy of the charge sheet and the order thereon of cognizance by the Court concerned, was filed with the affidavit.

4. She submits that this petition may be dismissed with liberty to file fresh.

5. Considering the request and the mistake being bona fide as the petitioner has annexed the copy of the document, showing cognizance having been taken, the liberty deserves to be granted to the petitioner to file fresh writ petition with correct pleadings.

6. The writ petition is dismissed as withdrawn, with the liberty as aforesaid. The petitioner if chooses to file fresh writ petition, copy of this order will be annexed to such petition.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

RAVI NATH TILHARI,J

Date: 14.03.2023
SCS

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