

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 649 OF 2026

Writ Appeal under clause 15 of the Letters Patent Against the Order Dated 09/06/2026 in W.P No. 12099 of 2026 on the file of the High Court.

Between:

Vijay Kumar Badri, S/o. Late Anjaiah Badri, Aged about 40 years, Occ. Software Employee, R/o. H.No. 8-3-172/RN/60, Raghavendra Nagar Colony, Karmanghat, Meerpet, Rachakonda, Ranga Reddy District, Telangana, India - 500097. Presently residing at Columbus, State of Ohio, United States of America. The Appellant is represented herein by his Special Power of Attorney Holder. Badri Sangeetha, W/o Nalegeti Hanumanth Yadav, R/o. H.No. 1-2-48/68, Devi Prasad Bagh, Gaganmahal Nursing Home, Domalguda, Himayathnagar, Hyderabad, Telangana 500029.

...APPELLANT

AND

1. The Union of India, Represented by its Secretary, Ministry of External Affairs, Central Secretariat, New Delhi, India.
2. The Regional Passport Officer, Regional Passport Office, D.No. 8-2-215 to 219, Kummarguda, Secunderabad - 500003.
3. Sruti Kanuganti, D/o. Kanuganti Muthaiah, Aged about 35 years, Occ. Advocate, R/o. H.No. 2-5-130/1B, Kurmawada, Jangaon Town and District, Telangana.

...RESPONDENTS

I.A. NO: 3 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to issue an Interim Direction to the official Respondents, to grant an ad-interim validity extension

on the Appellant's Passport No. AB023635 to safeguard the Appellants corporate H1B work visa status and to defer all passport impounding actions as the Appellant is an Indian citizen residing in foreign jurisdiction without passport.

I.A. NO: 2 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation, execution, and all further systemic or administrative effects of the impugned Final Order and Judgment dated 09-06-2026 passed by the Learned Single Judge in Writ Petition No. 12099 of 2026; and consequently grant absolute temporary passport immunity to the Appellant's Passport No. A13023635, strictly directing the Respondent Passport Authorities to maintain a status quo, defer any adverse show-cause or passport impounding proceedings, and permit the Appellant to maintain his lawful overseas immigration status until the Principal Junior Civil Judge at Jangaon pronounces its final orders on the pending passport NOC petition.

Counsel for the Appellant : SRI MUKUND RAJ GOKUL, rep., SRI P.N.DAYAKAR

**Counsel for the Respondent No.1&2: SRI N.BHUJANGA RAO,
Dy.Solicitor General Of India**

Counsel for the Respondent No.3 : SRI CHALAKANI VENKAT YADAV

The Court made the following: JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.649 of 2026

Dated:07.07.2026

Between:

Vijay Kumar Badri

...Appellant

and

The Union of India,
Represented by its Secretary,
Ministry of External Affairs,
Central Secretariat, New Delhi, India,
and 2 others.

...Respondents

JUDGMENT:

Learned counsel Sri Mukund Raj Gokul, representing learned counsel Sri P.N.Dayakar, appears for the appellant.

Sri N.Bhujanga Rao, learned Deputy Solicitor General of India, appears for respondents No.1 and 2.

Learned counsel Sri Chalakani Venkat Yadav appears for respondent No.3.

2. Earlier in W.P.No.5878 of 2025 filed by the present appellant seeking issuance of direction upon the Regional Passport Officer for renewal of his passport, in the background of his involvement in Crime No.160 of 2021 of Jangaon Police Station, Warangal, the learned writ court disposed of the said writ petition on 27.02.2025 with the following conditions to be complied with:

“i) The petitioner herein shall submit an undertaking along with an affidavit in C.C.No.478 of 2021, on the file of the learned Judicial First Class Magistrate at Jangaon, stating that he shall not leave India during pendency of the said C.C. without permission of the Court and that he shall co-operate with trial Court in concluding the proceedings.

ii) The trial Court shall issue a certified copy of the undertaking and affidavit within 2 weeks from the date of filing of the undertaking.

iii) The petitioner shall submit the certified copy of the aforesaid undertaking along with the reply/explanation before the concerned Passport Officer for consideration of his application for renewal of passport.

iv) The Passport Authority shall consider the documents in the light of the observations made by the Courts as well as the undertaking and other documents filed by the petitioner. The petitioner shall also be at liberty to rely on the decisions in this regard. The petitioner shall deposit the original passport before the trial Court in criminal case for renewal of the passport. The petitioner shall be at liberty to file an application before the learned Judicial First Class Magistrate at Jangaon seeking permission to travel outside India and the said Magistrate shall consider the same in accordance with law.”

3. The passport of the appellant was renewed, but for a short period of one year only. He, however, travelled abroad without obtaining any permission from the concerned court of criminal jurisdiction violating the condition imposed by the learned writ court in W.P.No.5878 of 2025. Meanwhile, his wife approached this court by filing W.P.No.12099 of 2026 for cancellation of his passport renewal for non-compliance of the conditions imposed in W.P.No.5878 of 2025 dated 27.02.2025. Despite notice, the appellant, who was respondent No.3 in the said writ petition, did not appear before the learned writ court. Therefore, W.P.No.12099 of 2026 was allowed on 09.06.2026 with the following directions:

“6. In view of the above, the Writ Petition is allowed. Though the passport issued to respondent No.3 expired on 16.04.2026 and the issue of cancellation no longer survives, respondent Nos.1 and 2 are directed to consider the petitioner's representation dated 11.02.2026, verify compliance by respondent No.3 with the directions issued by this Court in W.P.No.5878 of 2025, dated 27.02.2025, and pass appropriate orders in accordance with law. They shall also inform the Consulate General of India, New York, regarding the pendency of the criminal proceedings against respondent No.3 and ensure that any application submitted by respondent No.3 for re-issuance or renewal of passport shall not be processed or granted without due consideration of the pendency of such proceedings and the directions issued by this Court. There shall be no order as to costs.”

Being aggrieved, the appellant is in appeal.

4. We have heard the learned counsel for the parties.

5. One fact which needs to be mentioned here is that the passport of the appellant has expired on 16.04.2026. He has made an application on 02.06.2026 before the concerned court for issuance of No Objection Certificate as required under the guidelines framed by the Union of India for compliance of conditions requisite for issuance or renewal of passport in terms of Section 6(2) of the Passports Act, 1967 (hereinafter referred to as, "the Act") read with GSR 570(E) dated 25.08.1993 and the Office Memorandum dated 10.10.2019. It appears that the first part of the impugned direction to respondents No.1 and 2 to consider the representation of the writ petitioner dated 11.02.2026 to verify compliance by the appellant with the directions issued by the learned writ court in W.P.No.5878 of 2025 dated 27.02.2025, would be of no purpose as the passport of the appellant had expired on 16.04.2026 before the impugned judgment was passed on 09.06.2026. However, while seeking renewal of his passport, apart from the statutory conditions required to be complied with in terms of the guidelines contained in GSR 570(E) dated 25.08.1993 and the Office Memorandum dated 10.10.2019 read with the provisions of the Act, the passport authority also has to take into consideration whether the appellant had a valid justification for non-compliance of condition No.(iv) in the order

of the learned writ court in W.P.No.5878 of 2025 and also the No Objection Certificate, if any, to be issued by the concerned court where the criminal case against him is pending.

6. Therefore, we are of the opinion that the operative part of the impugned judgment needs to be modified by substituting it in the following manner:

The passport authority while considering the application for renewal of the passport of the appellant would also take into account the reasons for non-compliance of condition No.(iv) in the order of the learned writ court in W.P.No.5878 of 2025 and of course, the conditions stipulated in the No Objection Certificate, if any, issued by the concerned court of criminal jurisdiction in connection with the crimes in which the appellant is involved. These two factors are in addition to the other statutory conditions which the passport authority is required to take into account for re-issuance or renewal of the passport. For such consideration, the passport authority would not be influenced by the observations made by the learned writ court. Let it be also made clear that this court has also not made any observations on merits of the case of the renewal of the passport of the appellant herein which may be considered strictly in accordance with law.

7. The instant appeal is accordingly disposed of. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

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**SD/- A.V.S.PRASAD
DEPUTY REGISTRAR**



SECTION OFFICER

To,

1. The Secretary, Ministry of External Affairs, Union of India, Central Secretariat, New Delhi, India.
2. The Regional Passport Officer, Regional Passport Office, D.No. 8-2-215 to 219, Kummarguda, Secunderabad - 500003.
3. One CC to SRI P.N.DAYAKAR, Advocate. [OPUC]
4. One CC to SRI N.BHUJANGA RAO, Deputy Solicitor General of India, High Court for the State of Telangana at Hyderabad. [OPUC]
5. One CC to SRI CH.VENKAT YADAV, Advocate. [OPUC]
6. Two CD Copies.

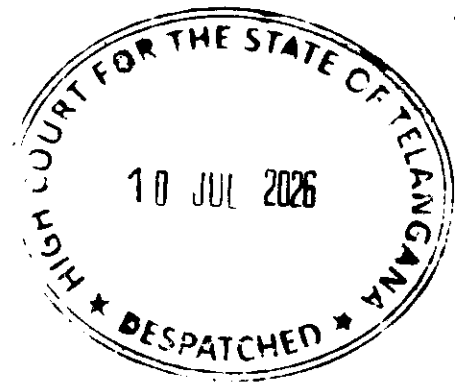


BSK

TKS

HIGH COURT

DATED: 07/07/2026



JUDGMENT

WA.No.649 of 2026

**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS**

⑧
AT
10/7/26