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

% ***Date of Decision: November 03rd, 2026***

\# **CNR No. DLHC010268722026**

\+ W.P.(C) 8475/2026 & CM APPL. 76241/2026

HINA KETAN THAKRAR .....Petitioner

Through: Mr. Rajiv Gupta, Advocate.

versus

UNION OF INDIA & ANR. .....Respondents

Through: Mr. Harsh Choudhury, CGSC with Mr. Divyansh Mishra, Mr. Siddhant Sharma, Advocates and Mr. Arvind GP for UOI.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. By the present petition, the petitioner challenges the order dated 25.05.2026 (hereafter '**impugned order**') passed by Respondent No. 2 refusing to set aside the order dated 27.03.2026 passed by the High Commission of India at London whereby the petitioner's passport was revoked and no Surrender Certificate was issued on the ground that the petitioner suppressed material information. The petitioner also seeks issuance of a direction to the respondents to issue Surrender Certificate to the petitioner.

2. Succinctly put, the petitioner had acquired British citizenship *vide* Naturalisation Certificate No. 11786504 issued by the Home Office, London on 07.08.2025. Thereafter, on 10.10.2025, the petitioner applied for the renewal of her Indian Passport to change her

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maiden name to post marriage name. Subsequently, on 22.10.2025, the petitioner obtained British Passport. The petitioner thereafter approached the High Commission of India, London and applied for surrender of her Indian Passport with a view to obtain a Surrender Certificate.

3. Subsequently, *vide* order dated 27.03.2026, the High Commission of India, London revoked the petitioner's passport and refused to grant a surrender certificate on the ground that the petitioner had suppressed material information about her having acquired foreign nationality. The appeal preferred by the petitioner against the order dated 27.03.2026 was also dismissed by the impugned order. Aggrieved thereby, the petitioner preferred the present petition.

4. The learned counsel for the petitioner submits that the impugned order has been passed in a mechanical manner without proper appreciation of the explanation furnished by the petitioner. He submits that the petitioner had voluntarily approached the authorities for surrender of her Indian Passport and there was no deliberate concealment or intentional suppression on the part of the petitioner. He submits that initially, a Surrender Certificate was issued by the High Commission of India, London on 06.11.2025, however, thereafter, without affording any opportunity of hearing to the petitioner, the passport of the petitioner was revoked.

5. On the other hand, the learned CGSC for the respondent submits that the petitioner, at the time of seeking renewal of her Indian Passport, had already voluntarily acquired British Citizenship

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on 07.08.2025 and had ceased to be an Indian citizen. He submits that despite the same, the petitioner applied for renewal of her passport by declaring that she continued to hold Indian nationality and had not acquired foreign citizenship. He submits that while the petitioner has sought to explain that she applied for renewal of passport to change her maiden name to post marriage name, the purpose for which the renewal was sought cannot dilute the statutory obligation cast upon the petitioner to make a complete, true and correct disclosure of material facts. He submits that the failure of the petitioner to disclose all material facts disentitles her from receiving Surrender Certificate.

6. I have heard the counsel and carefully perused the material on record.

7. It is not disputed that the petitioner had acquired British Citizenship on 07.08.2025. The question however is whether in the facts and circumstances of the present case, the subsequent renewal of the petitioner's passport warranted the action taken by the respondents without proper consideration of the circumstances that circumscribed such renewal.

8. The petitioner has appended certain communications with the present petition that reveal that prior to applying for renewal of passport, an email was sent by the petitioner's husband to the High Commission of India, London on 23.09.2025 whereby it was disclosed that the petitioner had acquired British citizenship, and that the petitioner's British Passport was on hold till the Indian Passport was updated to reflect her maiden name. Guidance was also sought on the exact procedure to change the Indian Passport to reflect her married

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name.

9. The record further reveals that a surrender certificate dated 06.11.2025 was thereafter issued by the High Commission of India at London. Neither the impugned order nor the order dated 27.03.2026 passed by the High Commission of India at London lays down the circumstances in which the said Surrender Certificate was issued or the manner in which it was subsequently denied.

10. It is not in doubt that in accordance with Section 10(3)(b) of the Passports Act, 1967, the passport authority possesses the power to revoke a passport on suppression of material information, however, the existence of such statutory power does not dispense with the obligation to exercise it fairly and upon a consideration of the relevant material. Section 10(3)(b) of the Passports Act, 1967 employs the term "may", and consequently, the exercise of the power ought not to be mechanical.

11. It is not the case of the respondents that the renewed passport was used by the petitioner for travel or to obtain any other benefit. While it is not the intention of this Court and this Court is not holding that the obligation of the applicant to furnish requisite information with candour and responsibility can be dispensed with, however, upon a consideration of the totality of circumstances, the contemporaneous material on record lends credence to the opinion of this Court that the omission in the renewal application could have been a *bona fide* error rather than a deliberate attempt to conceal her foreign nationality or secure any undue benefit.

12. In the light of the aforesaid discussion, the impugned order is

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set aside and the respondent authorities are directed to forthwith issue the Surrender Certificate to the petitioner.

13. The present petition along with pending application stand disposed of in the aforesaid terms.

AMIT MAHAJAN, J

NOVEMBER 3, 2026
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