

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION (L) NO. 9570 OF 2026**

Kian Aashish Agarwal, through  
his father & natural guardian  
Aashish Ashok Agarwal .. Petitioner

Vs.

The Regional Passport Officer &  
Ors. .. Respondents

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Mr. Vishwajit Sawant, Senior Advocate a/w Mohan Takavde, Sham Walve, Mrudhula Kadam, Sanjana Shivkar, Chinmay Bhagat i/by ADI Legal, Advocates for the Petitioner.

Mr. Pawan Patil a/w Mr. Tanmay Deshpande a/w Mr. Pratik Sabrad, Advocates for Respondent Nos.1 and 2.

Mr. Kundan Suresh Kargutkar, Sr. Superintendent, Regional Passport Office, Mumbai is present.

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**CORAM : SHREE CHANDRASHEKHAR, CJ &  
SUMAN SHYAM, J.**

**DATE : 8<sup>th</sup> APRIL 2026.**

**P.C. :**

Mr. Kundan Suresh Kargutkar, Senior Superintendent, Regional Passport Office, Mumbai, is present in the Court. On his instructions, Mr. Pawan Patil, the learned counsel appearing for the Regional Passport Officer states that there is a change in requirements under Annexure-C vide Exhibit-E at running page no.76 under which the parents who is divorced or judicially separated and to whom the custody of minor has been assigned and who is applying for the passport with visitation rights is required to produce consent of other parent (having

visitation rights). The learned counsel further states that a written objection was lodged by the mother of minor – Kian Aashish Agarwal and that is a reason passport in his name has yet not been processed. A copy of the said objection dated 23<sup>rd</sup> January 2025 tendered by the learned senior counsel for the petitioner is taken on record.

2. Mr. Vishwajit Sawant, the learned senior counsel for the petitioner states that the objection so raised by the mother of the minor child cannot be a basis for the Regional Passport Officer to decline issuance of passport in the name of the minor child.

3. However, in view of one of the stipulations under the consent terms which provides that children shall remain under joint guardianship of divorced parents, we deem it appropriate to implead mother of minor child - Riddhi Sagar, residing at 8A Ladhbai Mansion Queens Road, Girgaon, Mumbai – 400 004 as a party respondent no.3 in the present proceeding. Amendment be carried out forthwith. Re-verification is dispensed with.

4. Let notice be issued to the newly added respondent no.3 through registered as well as ordinary post. Hamdast is permitted.

5. Reply to be filed by respondent no.1 within one week.

6. Post the matter on 23<sup>rd</sup> April 2026.

JAYANT  
VISHWANATH  
SALUNKE

Digitally signed by  
JAYANT VISHWANATH  
SALUNKE  
Date: 2026.04.09  
12:18:30 +0530

**[SUMAN SHYAM, J.]**

**[CHIEF JUSTICE]**