

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Civil Writ Petition No.13799 of 2015

Date of Decision: July 14, 2015

Ajay Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. N.K. Malhotra, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioner that the petitioner was initially issued a Light Motor Vehicle Driving Licence in the year 2003. Thereafter he applied for Heavy Driving Licence and was issued the same bearing Licence No.496/TPT/03, which was valid up to 05.06.2015. The said licence was renewed in the year 2006, 2009 and again in the year 2011. The validity of the said Heavy Driving Licence was till 05.06.2015. Petitioner thereafter submitted an application for renewal of the Driving Licence but the same has not been entertained by the respondents on the ground that at the time when the Light Motor Vehicle Licence was issued to the petitioner, he was underage, however, at the time of issuance of the Heavy Driving Licence, the petitioner fulfilled the requisite age requirements, which licence has been renewed from time to time. Counsel for the petitioner relies upon the judgment passed by this Court in *Civil Writ Petition No.10077 of 2012* titled as *Kuldip Balhara Versus State of Haryana and another*, decided on 06.02.2013 (Annexure P-5), which states that even if the initial Driving Licence has been issued to a person, who is

underage and if subsequently the same has been renewed or a Driving Licence has been issued afresh subsequently, the same cannot be a ground for not renewing/issuing a Driving Licence. Counsel contends that a notice through counsel dated 22.06.2015 (Annexure P-4) was served upon respondent No.2, to which he has received a response yesterday after filing of the writ petition, wherein the petitioner has been called by respondent No.2 to consider his claim.

Counsel states that the petitioner shall appear before the Regional Transport Authority, Rohtak-respondent No.2 on 22.07.2015 along with his application and complete papers for renewal of his Heavy Driving Licence, which may be directed to be considered and appropriate decision taken thereon within some specified time.

In the light of the above, in case the petitioner appears before the the Regional Transport Authority, Rohtak-respondent No.2 on 22.07.2015 at 10:30 am along with his application and complete papers, the same shall be considered and appropriate decision taken thereon. In case the claim of the petitioner is to be accepted, the consequential benefits be granted to him at the earliest and in any case within a period of one week from the date of his appearance before the Regional Transport Authority, Rohtak-respondent No.2. In case the claim of the petitioner is not to be accepted, a well reasoned and speaking order be passed and conveyed to the petitioner forthwith.

Copy of this order be given *dasti* to counsel for the petitioner under signatures of Bench Secretary of this Court.

July 14, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**