

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

269

Civil Writ Petition No.20066 of 2014

Date of Decision: May 07, 2015

Ami Chand and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rajiv Kumar Saini, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioners, after arguing for some time, prays for withdrawal of the writ petition with liberty to file an appeal before the State Transport Controller/competent authority against the order dated 06.03.2014 (Annexure P-4). He further states that the said appeal will be filed within a period of two weeks from today.

In the light of the fact that the respondents have taken a preliminary objection that the petitioner has straightaway approached this Court without preferring an appeal, which is available to him under Section 57 of the Motor Vehicles Act, 1988, the present writ petition is permitted to be withdrawn with liberty to file an appeal to the State Transport Controller, Haryana/competent authority, within a period of two weeks.

If such an appeal is filed by the petitioners within a period of two weeks, the same shall be entertained by the State Transport Controller/competent authority and decided on merits without rejecting the same on the ground of delay and laches. The said appeal be preferably decided within a period of six weeks of submission of the same.

May 07, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**