

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

CWP No.9399 of 2015
Date of decision : 29.07.2015

Haroon @ Harun

...Petitioner

Versus

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Gopal Sharma, Advocate for the petitioner.

Mr. Hitesh Pandit, Addl. A.G. Haryana.

AMIT RAWAL, J. (Oral)

The petitioner has knocked the door of this Court by filing the present writ petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent Nos.1 to 3 to allow him to join duty as Driver in the office of respondent No.3.

It has been submitted that the petitioner was selected as Driver by respondent No.2 and on receipt of the appointment letter, petitioner has joined the services on 23.01.2014. The petitioner received the letter dated 29.01.2014 from respondent No.3, whereby he was informed that driving

licence bearing No.2313/P/04 dated 29.02.2004 was got verified from the Transport Authority, Agra and the same was not found in the name of the petitioner. It has been submitted that the petitioner is not permitted to work as a driver despite having issued the appointment letter.

Mr. Gopal Sharma, learned counsel appearing on behalf of petitioner submits that original driving licence of the petitioner bearing No.DL 1863/P/04 which was issued on 29.09.2004 for driving of LMV and on 19.10.2007 endorsement to drive HTV was made by Licensing Officer, Agra and thus licence to drive HTV was valid upto 18.10.2011. On expiry of the driving licence, the petitioner got the same renewed from Licensing Authority at Nuh, Mewat. However due to inadvertence, the said authority on the back of the driving licence No.579/C-2/Nuh dated 06.04.2011 has wrongly mentioned old driving licence No.2313/Agra/04 dated 29.02.2004 and on the basis of the said mistake, the petitioner is made to suffer.

He submits that petitioner had in this regard made various representations Annexures P-11 and P-12 dated 25.08.2014 and 03.11.2014. He further submits that as per the report dated 30.07.2014 and letter dated 08.08.2014, the respondents have got the original driving licence bearing No.1863/P/04 verified and it has been found to be issued in the name of the petitioner but yet the respondents have not taken any action.

Mr. Hitesh Pandit, Addl. A.G. Haryana submits that though de hors of the fact that petitioner has obtained the verification of the driving licence dated 30.07.2014 (Annexure P-8), but the State may be given a liberty to examine the genuineness of the driving licence by obtaining the report contained in the letter (Annexure P-10).

Mr. Hitesh Pandit, Addl. A.G. Haryana submits that though said letter duly conveyed that the State has verified authenticity of the driving licence bearing No.1863/P/04, but the fact remains that there have been many cases where driving licence issued by the Licensing Authority, Manipur, Agra are fake and, therefore, appropriate enquiry is required to be conducted for verification of the driving license.

In view of the aforementioned submission, I deem it appropriate to direct the respondent No.3 (General Manager, Haryana State Transport Depot Palwal, District Palwal) to decide the representation of the petitioner and as well as conduct the enquiry, if necessary, with regard to the veracity/genuinity of the driving licence bearing No.1863/P/04 issued in the name of Haroon @ Harun s/o Qamru deen @ Kamruddin having date of birth 13.02.1974, within a period of two months from the date of receipt of certified copy of the order and in case the driving licence of the petitioner is found genuine, necessary/appropriate order, be issued, much less, the petitioner be allowed to join the duty immediately , in that case petitioner shall be entitled to all consequential benefits.

The writ petition stands disposed of.

29.07.2015

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**(AMIT RAWAL)
JUDGE**