

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

**CWP No. 7129 of 2016
Decided on : 21.04.2016**

M/s R.P. Mettals

... Petitioner

Versus

The State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE RAJ RAHUL GARG**

PRESENT: Mr. Navdeep Monga, Advocate for
Mr. Sandeep Goyal, Advocate
for the petitioner.

Mr. Jagmohan Bansal, Addl. AG, Punjab.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking quashing of order dated 5th April, 2016 (Annexure P-10), whereby, the Registration Certificate dated 9th June, 2009 (Annexure P-1) of the petitioner, was cancelled by the respondent authorities.

2. The primary grievance of the petitioner is that the aforesaid action has been taken by the respondent authorities without following the principles of natural justice, as neither any notice was issued nor any opportunity of hearing was provided to the petitioner before doing so.

3. Notice of motion was issued. Upon notice, reply has been filed by the State. However, this has not been disputed by the learned State counsel that the Registration Certificate had been cancelled without issuing any prior notice to the petitioner though the petitioner was confronted with one letter.

4. On instructions from Sh. Gulshan Hurria, Excise & Taxation

Officer, Mandi Gobindgarh-respondent No.3, learned State counsel states that the impugned order dated 9th April, 2016 (Annexure P-10), vide which the Registration Certificate of the petitioner was cancelled, may be set aside. However, liberty be granted to the respondent authorities to pass a fresh order after affording an opportunity of hearing to the petitioner, in accordance with law.

5. In view of the above, while disposing of the writ petition, the impugned order dated 5th April, 2016 (Annexure P-10) is hereby set-aside. It shall, however, be open to the respondent authorities to proceed in the matter afresh, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(RAJ RAHUL GARG)
JUDGE

April 21, 2016
J.Ram