

LPA no. 190 of 2016 (O&M) 1

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

LPA no. 190 of 2016 (O&M)

Date of Decision : 02.12.2016

Pritpal Singh

....Appellant(s)

Versus

Union of India and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE DR. SHEKHER DHAWAN**

Present : Mr.Som Nath Saini, Advocate for the appellant

**Mr. Satpal Jain, Additional Solicitor General of India
with Mr. Dheeraj Jain and
Mr. Gautam Mittal, Advocates for the respondents**

MAHESH GROVER, J.

This appeal is directed against the judgment of the learned Single Judge declining the prayer of the appellant who was a writ petitioner for grant of a license under the Notaries Act, 1952 and the Rules framed thereunder.

According to Rule 8 B the application for renewal/grant of license had to be submitted 6 months prior to the date of the expiry of the earlier license. Prior to the amendment the requirement was 3 months. The license of the appellant was to expire on 1.11.2015 but he submitted his application on 14.7.2015, ostensibly labouring under an impression of a requirement of 3 months as per the un-amended provision and unaware of amended provision.

Upon notice having been issued, Sh. S.P.Jain, Additional

Solicitor General of India assisted by Sh. Dheeraj Jain has put in appearance

to contend that the decision has been taken strictly in accordance with rules and as many as 215 applications from all over the country have been declined similarly.

There would thus be no reason to interfere in the Letters Patent Appeal, particularly, when the decision of the learned Single Judge is strictly in accordance with rules and the information now given by the respondents of the applicability of the rules uniformly across the board.

However, it has been contended by the learned counsel for the appellant that the appellant is physically challenged and his livelihood depends on the license.

We have considered this aspect of the matter and are of the opinion that in case the appellant makes a representation to the respondents, the same shall be considered and decided by the respondents by taking a sympathetic view of the situation as expeditiously as possible but not later than 4 weeks from the date of receipt of the certified copy of this order, considering the disability of the appellant.

Let a copy of the representation be also given to learned counsel for the respondents. We request the learned Additional Solicitor General of India-Sh.S.P.Jain who has put in appearance on behalf of the respondents to ensure a sympathetic consideration to the appellant.

Disposed of.

(Mahesh Grover)
Judge

(Shekher Dhawan)
Judge

02.12.2016

rekha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No