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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1521/2016

AMAR NATH MAGO

..... Petitioner

Through: Mr. K.N. Bhargavan with Mr. Saurabh
Bhargavan, Advs.

versus

UNION OF INDIA

..... Respondent

Through: Mr. Jasmeet Singh, CGSC, UOI

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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26.02.2016

The present writ petition has been filed challenging the order dated 24th September, 2015 issued by the respondent whereby the petitioner's application for renewal of the certificate of practice as Notary Public was refused on the ground that the petitioner had not applied for renewal within a period of six months from the expiry of validity of the certificate of practise. Petitioner also seeks condonation of delay of 21 days in filing the application for renewal of certificate of practice as Notary Public. Petitioner prays for a direction to the respondent to pass a fresh order on merits on the aforesaid application.

Learned counsel for the petitioner states that on 4th April, 2015 he had filed his application for renewal of certificate of practice as Notary Public. He further states that in a subsequent communication, petitioner had given the reason for the delay, i.e., his wife sickness, but the respondent did not consider the same.

Learned counsel for the petitioner states that the controversy in the present petition is covered by a judgment and order passed by this Court in *Neelam Sharma Vs. Union of India, 2015 LawSuit(Del) 4230*.

Learned counsel for respondent admits the fact that the present matter is covered by the aforesaid judgment and order.

Consequently, it is deemed appropriate to dispose of this petition with a direction to the respondent to consider the application of the petitioner for renewal of licence, after considering the reasons given by the petitioner for the delay in applying for renewal as also the reasons / grounds, if any for otherwise denying the renewal to the petitioner.

Accordingly, the petition is disposed of with the following directions:

- (i) The petitioner, if so desire, may within 10 days hereof submit more particulars / documents in support of his explanation for the delay in applying for renewal.
- (ii) The respondent shall thereafter, within six weeks of the receipt of such further documents from the petitioner, consider the grounds given by the petitioner for condonation of delay in applying for renewal and shall take a reasoned decision thereon.
- (iii) The respondent, if of the opinion that the petitioner is to be denied the renewal for any other reason, would, after notifying the petitioner of the said reason and after giving the petitioner an opportunity of being heard thereon within the subject period of six weeks, shall pass a reasoned order within a period of three months

from today.

(iv) Needless to state that if the petitioner remains aggrieved, shall have his remedies.

MANMOHAN, J

FEBRUARY 26, 2016
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