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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4981/2016

SUNIL POPATRAO GAIKWAD

..... Petitioner

Through

Mr.K.N.Bhargavan with Mr.Saurabh
Bhargavan, Advocates.

versus

UNION OF INDIA

..... Respondent

Through

Mr.Jasmeet Singh, CGSC with
Mr.Srivats, Advocate for UOI.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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30.05.2016

Present writ petition has been filed challenging the order dated 12th October, 2015 issued by respondent whereby petitioner's application for renewal of the certificate of practice as Notary has been refused on the ground that petitioner had not applied for renewal within a period of six months of expiry of validity of the certificate. Petitioner also prays for a direction to respondent to pass a fresh order on merits on the application dated 11th June, 2015.

Learned counsel for petitioner states that on 11th June, 2015 petitioner filed an application for renewal of certificate of practice as Notary. He also states that in a subsequent communication, petitioner had given the reason for the delay, namely, due to the submission of his Notary Register for inspection before the District Judge, Pune, along with the original certificate of practice as Notary, but the respondent has not considered 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.

MAY 30, 2016
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MANMOHAN, J