

223

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25713-2015 (O&M)
Date of decision : 09.05.2017

M/S International Tour and Travels

... Petitioner(s)

Versus

Union of India and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Damanjeet Bhoriwal, Advocate
for the petitioner(s).

Mr. Vinay Pandey, Advocate for
Mr. Abhinav Gupta, Advocate
for the respondent(s).

AMIT RAWAL, J. (ORAL)

The grievance of the petitioner in the present writ petition is for issuance of a writ in the nature of *mandamus* directing the respondents to renew the Registration Certificate R.C. No.A0165/Pun/Per/300/43/4/8056/2007 i.e. Annexure P-1 and in this regard, he has submitted an application on 02.09.2014 (Annexure P-5) and representation dated 06.10.2005 (Annexure P-15), but the aforementioned certificate has not been renewed so far.

Mr. Damanjeet Bhoriwal, learned counsel for the petitioner submits that the petitioner is a registered Firm with the Protector General of Emigrant/respondent No.2 and having valid license to carry on the business of recruitment for deployment of Indian Workers with foreign employers. The license was issued on 25.07.2007 and valid for a period of four year and three months as evident from Certificate of Registration (Annexure P-1).

The aforementioned application has not been taken into consideration,

therefore, the petitioner is suffering heavy loss.

Mr. Vinay Pandey, learned counsel appearing on behalf of the respondents submits that as per the amended Rule 8 of the Emigration (Amendment) Rules, 2015, for the purpose of issuing a certificate of registration, the petitioner is required to furnish a bank guarantee of eight and half years' valid for an amount of fifty lakh rupees. They are not averse to renew the licence, in case, the petitioner complies with the aforementioned Rule which reads as under:-

"8. Amount of Security – The applicant, on being informed by the registering authority under sub-Section (2) of Section 11 of the Act, shall provide a bank guarantee of eight and half years' validity for an amount of fifty lakh rupees as security under sub-section (3) of that section."

Keeping in view the aforementioned facts, I deem it appropriate to dispose of the present writ petition with a direction to the petitioner to comply with the aforementioned Rule and in case, the petitioner complies with the aforementioned Rule, the respondent(s) shall take the decision on the application in accordance with law by affording the opportunities of hearing.

Let this exercise be done within a period of four months from the date of the receipt of the certified copy of this order.

Disposed of, accordingly.

09.05.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned **Yes/ No**

✓

Whether Reportable **Yes/ No**