

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-22509-2017 (O & M)

Date of decision: 21.11.2017

Jasbir Singh

....Petitioner(s)

V/s

State of Punjab and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sandeep Arora, Advocate, for the petitioner.

Mr. Vikas Mohan Gupta, Addl.A.G., Punjab.

Rajan Gupta, J. (Oral)

Present petition has been filed seeking a writ in the nature of mandamus to direct respondents No.2 and 3 for renewal of licence bearing No.2011/142796 held by the petitioner. It has been stated that the licence expired on 06.09.2014. Thereafter, petitioner approached the office of DTO, Hoshiarpur, for renewal thereof. He moved an application on 15.09.2015. Copy of receipt in this regard has been annexed as Annexure P-2. Petitioner, thereafter, visited the concerned office several times but no information was provided to him. As a result, he had to move an application under the Right to Information Act to find out the status of his application for renewal. It was informed that on 13.06.2017, Deputy Commissioner, Hoshiarpur, had forwarded the application seeking information to the officer of District Transport Officer (now re-designated as Regional Transport Authority). As all efforts of the petitioner to get his licence renewed bore no fruit, he was constrained to file instant petition before this court.

While issuing notice of motion on 03.10.2017, this court asked the respondents to explain why a citizen had been put to unnecessary harassment by the authorities and whether exemplary costs need to be

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imposed on them for this reason. On the next date of hearing i.e. 25.10.2017, the court was informed that the licence of the petitioner had been renewed. However, no plausible explanation came forth for the reasons for inordinate delay in taking necessary action.

Pursuant to the order passed on the last date of hearing, Mr. Sukhwinder Kumar, RTA, Hoshiarpur, is present in court. Status report has been filed today. Same is taken on record. Learned State counsel submits that in view of the query raised by this court, explanation of the office of DTO/RTA, since the date petitioner moved an application for renewal of licence, has been sought. He has also placed on record affidavit in this regard. As no explanation has come forth till now, this court is of the considered view that appropriate costs need to be imposed. In view of the fact that licence has been renewed after lapse of 03 years, costs of Rs.50,000/- is imposed on the respondents. The State Transport Commissioner shall examine the issue and deduct the costs from the salary of the officers found responsible for inordinate delay. Disposed of. A report in this regard be submitted in the registry within two months.

November 21, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No