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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9762/2017**

BANKIMCHANDRA RAMCHANDRA VYAS Petitioner

Through: Mr Saurabh Bhargavan and Mr
Khoda Apa, Advocates.

versus

UNION OF INDIA Respondent

Through: Mr Ruchir Mishra and Mr Abhishek
Rana, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **06.11.2017**

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“(A) Direct the respondent to consider and decide without further delay the petitioner's renewal application dated 23-03-2016 (Annexure P-2) submitted with respondent for the renewal of his Certificate of Practice as Notary within such period as this Hon'ble Court may deem fit and proper;

(B) condone the 3/4 days delay in filing the application dated 23-03-2016 for renewal of certificate of practise as Notary Public.”

2. The petitioner is an Advocate by profession and was appointed as the Notary Public by the respondent on 20.09.2011. His licence expired on 20.09.2016. Prior to expiry of the licence, the petitioner applied for renewal

of the same by a letter dated 23.03.2016. An application for renewal of the licence is required to be made six months prior to its expiry; thus, the petitioner's application was late by a period of three days. This delay was explained by the petitioner by submitting that he had not received his affidavit (for declaration of solvency and no conviction/enquiry) which was sent to the learned First Class Magistrate for attestation. The said affidavit was returned on 23.03.2016 and the petitioner had applied on the very same day.

3. The learned counsel for the respondent who appears on advance notice submits that several representations had been made to the respondent and most of them have been disposed of. He does not dispute that the respondent has discretion to condone the delay of three days as the petitioner's application had been filed prior to expiry of his licence.

4. In this view, the respondent is directed to dispose of the petitioner's application for renewal of his licence as Notary Public, if not already done, within a period of eight weeks from today.

5. The petition is disposed of with the aforesaid directions.

6. Order *dasti*.

VIBHU BAKHRU, J

NOVEMBER 06, 2017
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