

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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C.W.P No. 6040 of 2019 (O&M)

Date of decision: 11.03.2019

M/s Ultimate Group

.....Petitioner

Vs.

State of Haryana & Ors.

...Respondents

**CORAM: HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE LALIT BATRA**

Present:- Mr. Girish Agnihotri, Sr. Advocate, with
Mr. Nihit Lomis, Advocate, for the petitioner.

Mr. Ankur Mittal, Addl. A.G. Haryana.

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MAHESH GROVER, J. (Oral)

Petitioner impugns the order dated 25.01.2019 where his license has been suspended for three months or till the time rectification of violation of terms and conditions of contract agreement by the petitioner is done.

It may be necessary to state here that the rectification referred to in the impugned order pertains to a change in composition of the partnership firm qua which the petitioner asserts that an application was made but this fact is denied by the respondents although the suspension order notices that request in this regard remained pending with the respondents.

Mr. Ankur Mittal representing the State, on instructions from Sh. R.K. Sharma, Mining Engineer, Haryana, states that no application in this regard was ever received from the petitioner but it is not in dispute that such a transfer is permissible.

Be that as it may, the fact remains that respondents themselves have acknowledged the plea of the petitioner regarding a request for change in composition of the partnership firm and that is the reason why they have referred to it. It implies that the respondents are at least now alive to the situation and such an objection to evade a consideration would not be justifiable.

However to tide over any such objection we permit the petitioner to file an application in this regard within a period of one week from today and in case it is so done, the respondents shall pass a final order on this issue within a period of one week thereafter. Needless to say, if any order adverse to the petitioner is passed, it would be at liberty to take recourse to the remedies available to him in accordance with law.

Accordingly the petition stands disposed of.

(MAHESH GROVER)
JUDGE

March 11, 2019
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(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No