

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21745-2018 (O&M)
Date of decision : 14.02.2019

Gram Panchayat Bhuna

...Petitioner

Versus

Union of India and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S. Bhalla, Advocate for the petitioner(s).

Mr. Praveen Chander Goyal, Senior Panel Counsel,
for respondent No.3.

Mr. Rajnish K. Gupta, Advocate,
for respondent No.9.

JITENDRA CHAUHAN J. (ORAL)

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ of Mandamus directing the respondents to cancel licence dated 19.06.2018, which has been issued in violation of provisions of Explosive Act, 1884 and Gas Cylinder Rules, 2016 as amended upto date vide notification dated 15.03.2018.

Learned counsel for the petitioner states that at this stage he would be satisfied, if a direction is issued to respondent No.2-Chief Controller of Explosive, The Petroleum and Explosive Safety Organization (Head Officer), A Block, CGO Complex, Fifty Floor, Seminary Hills, Nagpur (Maharashtra), to consider and decide the representation dated 05.08.2018 (Annexure P-4), receipt of which is duly acknowledged by the

respondents.

Learned counsel for the respondents state that they have no objection to the prayer made by learned counsel for the petitioner.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2- Chief Controller of Explosive, The Petroleum and Explosive Safety Organization (Head Officer), A Block, CGO Complex, Fifty Floor, Seminary Hills, Nagpur (Maharashtra), to consider and decide the representation dated 05.08.2018 (Annexure P-4), within six weeks from the receipt of the certified copy of the judgment after affording opportunity of hearing to the petitioner as well as respondent No.9. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible, in such eventuality, the consequential relief be allowed, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

14.02.2019

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**(JITENDRA CHAUHAN)
JUDGE**

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