

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
HANDIGARH**

CWP-12582-2020

Date of Decision: 24th August, 2020

Surinder Kumar and others

....Petitioners

VERSUS

State of Haryana and others

....Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present:- Mr. Pankaj Bali, Sr. Advocate with
Mr. Vibhav Jain, Advocate,
for the Petitioners.

Mr. Ankur Mittal, Additional Advocate General Haryana
for Respondents No. 1 to 3.

Dr. S. Muralidhar, J.

1. The Petitioners have a two-fold grievance. One, is the non-disposal of the representations dated 28th March, 2020 and 5th April, 2020 by the Respondents seeking “various reliefs, including refund of the license fee to the Licensees for the period when the Lockdown was operational i.e. 22nd March, 2020 to 31st March, 2020”. The second grievance is against the Show Cause Notices (‘SCNs’) issued to the Petitioners for recovering penalties as a result of short lifting of the quota pursuant to the licenses issued to them.

2. As far as the SCNs are concerned, it is obvious the Petitioners would have to reply to those SCNs after which the appropriate authority will pass

orders on such SCNs. It is therefore premature for the Petitioners at this stage to seek any relief in relation thereto. The only direction that can be issued is that the Petitioners should reply to those SCNs, if not already done, not later than 31st August, 2020 and if the replies are so filed, the concerned authorities will pass reasoned orders on the SCNs not later than 20th September, 2020. If those orders are adverse to the Petitioners, they can obviously seek remedies that are available to them in accordance with law.

3. As far as the other relief concerning refund of license fee for the lockdown period, a direction is issued to the Respondents to dispose of the representations on this aspect by a reasoned order, not later than 15th September, 2020, which order would be communicated to the Petitioners not later than 18th September, 2020. If aggrieved by such orders, it will be open to the Petitioners to seek appropriate remedies in accordance with law.

4. The petition is disposed of in the above terms.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

24th August, 2020
Satyawan

Whether speaking/reasoned Yes

Whether reportable No