

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

**CWP-16633-2020
Date of Decision : 09.10.2020**

Kapil Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Arun Luthra, Advocate
for the petitioner.

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

ASHOK KUMAR VERMA, J. (Oral)

Case has been taken up for hearing through video conferencing due to the outbreak of Pandemic COVID-19.

Through this petition under Article 226/227 of the Constitution of India, prayer has been made for issuance of direction to respondents No.1 to 6 to take appropriate legal action against respondents No.7 and 8 who have forcibly taken away the vehicles bearing registration No.HR-67-A-1837 and HR-67-A-1886 of the petitioner with the help of recovery agents and henchmen, violating the rules of notification dated 28.09.2006 (Annexure P-8), issued by respondent No.2-Reserve Bank of India.

Learned counsel for the petitioner contends that on 06.03.2020, the henchmen of respondents No.7 and 8 in connivance with respondent No.6 forcibly took away the abovementioned vehicles. Due to the outbreak of Pandemic COVID-19, petitioner could not pursue the matter. On 28.05.2020, he received a letter from respondents No.7 and 8 vide which he

was informed that said respondents sold the vehicles of the petitioner. Now from the inquiry, petitioner came to know that vehicles are still in his name. He has relied upon the order dated 22.01.2008, passed by a Division Bench of this Court in CWP-10869-2007 titled as Kanwar Naunihal Singh vs. State of Punjab and others.

Notice of motion to respondents No.1, 4 to 6-State only.

On the asking of the Court, Mr. Sanjay Mittal, Addl. A.G., Haryana, accepts notice on behalf of respondents No.1, 4 to 6-State.

Service is complete.

After arguing for sometime, learned counsel for the petitioner submits that the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondent No.5-Superintendent of Police, Panipat to decide his claim as raised in the representation dated 07.03.2020 (Annexure P-2).

Without commenting upon the merits of this case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 07.03.2020 (Annexure P-2), the present writ petition is disposed of with a direction to the respondent No.5-Superintendent of Police, Panipat to decide the representation dated 07.03.2020 (Annexure P-2) by giving opportunity of hearing to the petitioner and by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of this order.

Present writ petition stands disposed of.

(ASHOK KUMAR VERMA)
JUDGE

09.10.2020

mamta