

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23440-2019 (O&M)
Date of Decision : 12.2.2020

Gaurav Gaur

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
: HON'BLE MR.JUSTICE AVNEESH JHINGAN

Present : Mr. R.D.Gupta, Advocate
for the petitioner.

Ms. Mamta Singla Talwar, DAG, Haryana.

AJAY TEWARI, J. (Oral)

1. This writ petition has been filed under Section 226/227 of Constitution of India praying for issuance of a writ in the nature of mandamus directing the respondent No.4 to decide and implement the letters dated 22.10.2018 (Annexure P-5) and 24.5.2019 (Annexure P-7) based on the representations of the petitioner and further refund the excess amount of road tax charged from the petitioner at the time of registering his motor vehicle (car).

2. The petitioner has claimed that Motor Vehicle Registration tax is leviable only on the cost of the vehicle and not on the taxes paid at the time of purchase of vehicle.

3. Reply to the petition has not been filed by learned State counsel and prays for more time to file reply.

4. In our opinion, this matter should be first adjudicated by respondent No.3 because it is an issue which may arise in many cases.

5. Resultantly, this petition is disposed of with a direction to respondent No.3 to treat this petition as a representation and give a reasoned decision in accordance with law within three months from the date of receipt of certified copy of this order after hearing the petitioner. Parties through counsel are directed to appear before respondent No.3 on 19.2.2020.

6. Since the main case has been decided, the pending application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(AVNEESH JHINGAN)
JUDGE

12.2.2020
anuradha

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No