

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

**CWP No.9050 of 2021 (O&M)
Date of decision : 27.04.2021**

Ashok Bansal

..... Petitioner

versus

The Union of India & ors.

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MR.JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Charanji Lal, Advocate for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed for quashing the order dated 12.04.2021 (Annexure P-16) of respondent No.4 for rejecting the application of the petitioner filed under the VIVAD SE VISHWAS Scheme.

Notice of motion.

On the asking of the Court, Mr. Sandeep Goel, accepts notice on behalf of the respondents.

Counsel for the petitioner undertakes to supply two copies of the paper book to the counsel opposite during the course of the day.

The primary contention in this writ petition is that the petitioner was held ineligible to apply under the VIVAD SE VISHWAS Scheme only on the ground that he had not filed his appeal in time. However, the respondents did not consider that even though the assessment order was dated 30.12.2019 yet it was sent through registered post only on 31.12.2019, was received by the petitioner on 05.01.2020 against which appeal was filed within 30 days on 01.02.2020.

We find this to be a fair submission. In the circumstances, we deem it appropriate to disposed of this petition by setting aside the impugned order with a direction to respondent No.4 to reconsider the matter by passing a speaking order thereon within a period of 15 days from the date of receipt of a certified copy of this order after hearing the petitioner and permitting him to substantiate his claim regarding the date of posting and the date of receipt of the assessment order. For this purpose, the petitioner is directed to appear before the respondent No.4 on 05.05.2021.

Petition stands disposed of with the above terms.

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

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

27.04.2021

pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No