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

CWP No. 17959 of 2021
Date of Decision: 26.10.2021

Ravinder Singh Sandhu

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Nirmaljeet Singh Sidhu, Advocate,
for the petitioner.

Mr. Abhay Pal Singh Gill, A.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

The State counsel has already appeared on the basis of advance notice issued to State of Punjab.

Petitioner has preferred this petition for issuance of appropriate writ, order or direction especially in the nature of mandamus directing respondents No.2 and 3 to delete hypothecation from RC of the vehicle bearing No.PB-03-AL-0900 and also to decide the representation dated 26.08.2021 within a specified time.

Learned counsel for the petitioner submits that the petitioner is running a truck. On 08.01.2018, the truck was stolen by some unknown persons. FIR No.48 dated 13.03.2018 under Section 379 IPC, Police Station Moga was registered against unknown persons. After the investigation, the police has filed untraced report before the trial Court and the same was accepted by the trial Court vide order dated 08.09.2018. The vehicle was duly insured from Oriental Insurance Company. The Company has also approved the claim of the petitioner qua the said vehicle.

As per terms and conditions of the Company, the hypothecation is required to be deleted for releasing the claim of the petitioner.

Precisely in the context of inaction by RTO Office, Bathinda, a representation dated 26.08.2021 is pending before respondent No.3.

Notice of motion.

On the asking of the Court, Mr. Abhay Pal Singh Gill, A.A.G., Punjab accepts notice on behalf of State of Punjab.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon response from the respondents at this stage, as no order prejudicial to the interest of any party is being passed.

This petition is disposed of with a direction to respondent No.2 to decide the legal notice of the petitioner dated 26.08.2021 in accordance with law preferably within a period of one month from the date of receipt of certified copy of this order.

26.10.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No