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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-13423-2019
Date of decision: 14.07.2022

SWARANJIT SINGH

...Petitioner

VERSUS

UNION OF INDIA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. C. M. Munjal, Advocate
for the petitioner.

Dr. Parveen Hans, Senior Panel Counsel
for respondents-UOI.

JAISHREE THAKUR, J. (Oral)

1. The instant writ petition has been filed seeking issuance of a writ in the nature of certiorari for quashing the order dated 16.04.2019 (Annexure P-14) passed by respondent No.2, whereby the application of the petitioner seeking renewal of his certificate to practice as Notary has been rejected.

2. Learned counsel for the petitioner herein would contend that the petitioner was given licence to practice as Notary on 09.01.2002 and has been subsequently renewed every five years. He submits that the licence of the petitioner was to expire on 08.01.2017, but on account of compelling circumstances, he could not apply for the renewal of his licence within time. It is submitted that the wife of the petitioner herein was a cancer patient and she had to undergo surgery to remove her left breast, which surgery was done at

Guru Gobind Singh Medical College and Hospital, Faridkot (Department of Radio Therapy and Oncology). It was on account of this that the petitioner herein was not able to submit his application for renewal of his licence within time. He applied for renewal of the same on 07.03.2017, however, his application was rejected. It is further submitted that in a catena of cases, the renewal of the licence has been directed by this Court and, therefore, the petitioner would be entitled to the same benefit.

3. Learned counsel for the respondents would contend that the petitioner is to apply for renewal of his licence six months prior to the expiry of the same and in case, he cannot apply within the specified time, he can apply for renewal before the actual expiry date giving cogent reasons for not submitting his application for renewal of licence in time. It is submitted that the petitioner herein applied two months and nine days after the licence had expired and, therefore, there is no provision for renewal of the licence and the petitioner will have to apply afresh.

4. At this juncture, learned counsel for the petitioner would contend that the petitioner has already submitted a fresh online application on 23.09.2018 for grant of licence before the competent authority to practice as a Notary Public, however, no decision has been taken thereon. He would be satisfied in case the said application submitted on 23.09.2018 is decided expeditiously.

5. I have heard learned counsel for the parties.

6. Without commenting on merits of the case, the present petition is disposed of with a direction to the competent authority to take a conscious decision of the application of the petitioner submitted for grant of certificate to practice as Notary Public, within a period of one month from the date of receipt

of the certified copy of this order, in accordance with law and convey the decision to the petitioner. While deciding the said application, it may be borne in mind that the petitioner herein was already practicing as Notary Public since 2002 and his licence/certificate had been renewed by the competent authority from time to time.

14.07.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No