IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

106 to 109

(1) CWP-13425-2022

Shish Pal ... Petitioner

Versus

State of Haryana & others ... Respondents

(2) CWP-13426-2022

Jaipal ... Petitioner

Versus

State of Haryana & others ... Respondents

(3) CWP-13427-2022

Ashok Kumar ... Petitioner

Versus

State of Haryana & others ... Respondents

(4) CWP-13433-2022

Pankaj Gaba ... Petitioner

Versus

State of Haryana & others ... Respondents

Decided on : 13.06.2022

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE JASJIT SINGH BEDI

Present: Mr. B.S.Dhull, Advocate, for the petitioner.

Ms.Rajni Gupta, Addl.A.G., Haryana.

G.S. Sandhawalia, J. (Oral)

Prayer in the present writ petitions, filed under Articles 226/227 of the Constitution of India is for issuance of writ in the nature of mandamus for directing the respondents to allow the petitioners to deposit the Motor Vehicles Tax without any penalty, as the Ministry of

Road Transport and Highways had issued advisories to State and Union Territories regarding extension of validity of all type of the documents related to Motor Vehicles Act, 1988 and Central Motor Vehicles Rules, 1989 and further to consider relaxation in permit fees/taxes etc. and as per advisory dated 30.09.2021 (Annexure P-2) validity of all types of documents has been extended till 31.10.2021.

Counsel for the petitioners has relied upon the order dated 29.03.2022, passed by the Co-ordinate Bench in CWP-6452-2022 titled *M/s Saini Tour & Travelling (Regd.) Vs. State of Haryana & others* (Annexure P-9). Said order reads as under:

> "Counsel has been heard.
>
> In the connected writ petitions i.e. CWP No.21510 of 2020, CWP No.22876 of 2021, CWP Nos.2010, 1653, 2233 and 2251 of 2022, we have already taken notice of the statement made by Mr. Lokesh Sinhal, Ld. State Counsel that the penalty on account of delay in deposit of the Motor Vehicle Tax for the Covid period would be waived off and a formal notification in such regard is in the process of release.
>
> Notice of motion.
>
> Mr. Lokesh Sinhal, Sr. Additional Advocate General, Haryana accepts notice on behalf of the respondents.
>
> The instant writ petition is disposed of in terms of order carrying even date passed in **CWP No.21510 of 2020** titled as '**Indian Tourist Transporters Association vs. State of Haryana & another**' and other connected petitions.
>
> In the light of the statement recorded of Ld. Senior Additional Advocate General, Haryana in the connected matters, it would be open for the petitioner to deposit the Motor Vehicle Tax and which would not comprise of any component of penalty/interest thereupon.
>
> Disposed of."

Notice of motion.

Ms.Gupta accepts notice on behalf of the State and submits that she has no objection if the present cases are disposed of in terms of M/s Saini Tour & Travelling (Regd.) *(supra)* as reproduced above.

Accordingly, keeping in view the above, the present writ petitions are disposed of in the above-said terms.

(G.S. SANDHAWALIA)
JUDGE

(JASJIT SINGH BEDI)
JUDGE

June 13, 2022
sailesh

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No