

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

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**CWP-14305-2022 (O&M).
Date of decision: 17.10.2022.**

Gurjit Ram

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Krishan Singh Dadwal, Advocate for the petitioner.

VINOD S. BHARDWAJ. J (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, for seeking issuance of a writ in the nature of mandamus directing the respondents to register the JCB Machine and issue registration certificate to the petitioner as there exist no impediment and the registration need to be made in view of the provisions of Motor Vehicle Act, 1988 as well as the Punjab Motor Rules, 1989.

Learned counsel appearing on behalf of the petitioner contends that the petitioner purchased JCB Machine on 03.10.2017 make

Model No. JCB 3DX Backhoe, Loader Fitted with 1.1. CUM LDR, Engine No.H00154549, Chassis No.2588371 from Dada Motors, Anand Nagar, G.T. Road, Jalandhar and at the time of purchase, temporary registration No.PB-08CH-TEMP-8526 was allotted by the Secretary, Registration Transportation Authority i.e. respondent No.1, which was valid from 03.10.2017 to 02.11.2017, however, thereafter the registration was delayed on one pretext or the other. It is submitted that the petitioner fell ill and thereafter when he approached the office of respondent No.3, the petitioner was asked to bring clearance certificate and also to deposit the requisite registration fee and accordingly, the petitioner deposited a sum of Rs.1,25,843/- on 10.01.2022, however, no registration was done and it was intimated that registration has been stopped after 31.12.2021. It is submitted that since the registration was not done even after complying with all the directions and formalities, hence, the petitioner sent a legal notice dated 19.04.2022 (Annexure P-4) to the respondents, however, despite a lapse of more than 06 months since the date of legal notice, no decision has been taken thereupon. He contends that, at this juncture, the petitioner would be satisfied in case the respondents are directed to look into the legal notice and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Saurav Verma, Addl.A.G., Punjab, who is present in Court, accepts notice on behalf of the respondents and he has no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondents are directed to take note of the legal notice dated 19.04.2022 (Annexure P-4) sent by the petitioner and to pass a speaking order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order.

October 17, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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