

132 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-1272-2022

Date of Decision :14.07.2022

Indian Tourist Transporters Association

...Petitioner

Versus

Navdeep Singh Virk, IPS and anr.

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Ms. JanyaSirohi, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the instant petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/1 dated 29.03.2022 in CWP No.21510 of 2020 in case titled as Indian Tourist Transporters Association vs. State of Haryana and another.

[2] A perusal of order, Annexure P/1 reveals that CWP No.21510 of 2020 was disposed of on the statement of learned Senior Additional Advocate General that a decision in principle had been taken to waive of the penalty on account of delay in deposit of Motor Vehicle Tax in the light of Covid-19 situation and that notification in that regard would be issued within two weeks.

[3] Learned DAG has placed on record copy of notification dated 29.06.2022 whereby exemption were granted to all classes of the transport vehicles from payment of motor vehicle tax vide notification mentioned in the table below, from the penalties for delayed payment of Motor Vehicle Tax from 01.04.2020 till 30th day after the publication of

the notification in the Office Gazette. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner, who states that although notification has been issued, yet the petitioner had already deposited the penalty under pain of coercive action and that in view of the notification dated 29.06.2022, the petitioner is entitled to seek refund of the penalty amount deposited by him.

[4] Learned DAG states that in the circumstances, the petitioner may submit an application for refund of the penalty deposited by him which is covered by the notification issued and in case of receipt of representation, appropriate orders in respect thereto would be passed by respondent No.2 within two weeks thereafter and in case any amount is due and payable to the petitioner, the same would be paid to the petitioner within a period of two weeks thereafter.

[5] Faced with the aforementioned situation, learned counsel for the petitioner states that in the circumstances, the petitioner does not press the instant petition and the same may be disposed of by directing respondent No.2 to adhere to the assurance held out by the learned DAG.

[6] In view of the position noted above as well as the statement of learned counsel for the petitioner, the contempt petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971 while directing respondent No.2 to adhere to the assurance held out by learned DAG and to do the needful within the stipulated period of time.

(B.S. Walia)
Judge

14.07.2022
'Amit'

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