

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

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**CWP-15023-2022 (O&M).
Date of decision: 10.10.2022.**

M/s Minhas Automobile Engineers

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Kushagra Beniwal, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

VINOD S. BHARDWAJ. J (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, seeking issuance of a writ in the nature of mandamus directing respondent No.3 - SDO (Civil)-cum-Registering Authority (Motor Vehicle), Thanesar, District Kurukshetra to decide the representation of the petitioner whereby the petitioner has applied for issuance of Trade Certificate under the Central Motor Vehicles Rules, 1989.

Learned counsel appearing on behalf of the petitioner contends that the petitioner is a registered proprietorship concern and is

associated with M/s Hero Moto Corp since 2007 and is a sub-dealer since 2018. It was appointed as Associate Dealer of the Hero Moto Corp Limited vide agreement dated 14.09.2018. As per the Central Motor Vehicles Rules, 1989, a Trade Certificate is required to be issued to the dealer for selling motor vehicles to the customers. The petitioner firm was issued Trade Certificate for the year 2015-16, however, after entering into the new agreement whereby the petitioner firm was appointed as an Associate Dealer, a fresh Trade Certificate under the Rules is required to be issued. Accordingly, an application in this regard was submitted by the petitioner firm with the respondent No.3 but to no avail. Resultantly, a representation dated 30.04.2022 (Annexure P-5) was sent to the respondent No.3.

Learned counsel appearing on behalf of the petitioner contends that that he would be satisfied, at this juncture, in case the representation submitted by the petitioner is directed to be decided in a time bound manner.

Mr. Pankaj Mulwani, DAG, Haryana, accepts notice, and he has no objection to the aforesaid prayer being granted.

Accordingly, the present petition is disposed of with the consent of the parties and without commenting on the merits of the case directing respondent No.3 - SDO (Civil)-cum- Registering Authority (Motor Vehicle), Thanesar, District Kurukshetra, to look into the representation dated 30.04.2022 (Annexure P-5) and to pass a reasoned and speaking order thereupon after granting an opportunity of hearing to

the respective parties within a period of one month after the receipt of certified copy of this order.

Petition is accordingly disposed of.

October 10, 2022
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(VINOD S. BHARDWAJ)
JUDGE

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