

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

CWP-17300-2022 (O&M)

Date of Decision:06.08.2022

M/s Guru Nanak Travels (Regd.) Bathinda

.....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE PANKAJ JAIN**

Present:- Mr. Raj Kaushik, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab

TEJINDER SINGH DHINDSA J.(Oral)

Petitioner-Transport company has filed the instant petition seeking a mandamus directing the competent authority under the Department of Transport, State of Punjab, to release the refundable service tax that has been deposited as per terms and conditions of the KM Scheme at Annexure P-1.

During the course of arguments counsel brings to our notice that a legal notice dated 01.07.2022 (Annexure P-18) already stands served upon the respondent-authorities.

Further submits that he would be satisfied if the writ petition was to be disposed of with a direction to the authority concerned to consider the same and to take a decision thereupon within a stipulated time frame.

We find the prayer to be just and reasonable.

In view of the above and without even ascertaining the correctness of the averments made in the petition, we dispose of the writ petition with a direction to 2nd respondent i.e. The Director, State Transport, Punjab Jeevan

Deep Building, Sector-17, Chandigarh, to examine the claim of the petitioner against the backdrop of a legal notice dated 01.07.2022 (Annexure P-18) and to take a decision thereupon in accordance with law within a period of 08 weeks from today and to convey the decision to the petitioner.

Disposed of.

It would be appreciated if prior to taking a decision an opportunity of personal hearing is granted to the authorized representative of the petitioner-company.

(TEJINDER SINGH DHINDSA)
JUDGE

(PANKAJ JAIN)
JUDGE

06.08.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No