

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

(279)

CWP-8995-2023

Date of decision: - 13.12.2023

Kundan

....Petitioner

Versus

Union Territory of Chandigarh and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Sangita Dhanda, Advocate
for the petitioner.

Mr. Maheshinder Singh Sidhu, Advocate
and Mr. Varun Veer Chauhan, Advocate
for respondents No.1 to 3-UT Chandigarh.

Ms. Gagandeep Kaur, Advocate
for respondent No.4.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226 of the Constitution of India for the issuance of a writ in the nature of mandamus directing respondent No.4 to issue birth certificate to the petitioner on the basis of his Aadhar Card and affidavits of the father and grandmother.
2. Learned counsel for the petitioner has submitted that although there are other prayers made in the present writ petition, but at this stage, the petitioner is pressing his prayer with respect to a direction to respondent No.4 to issue birth certificate to him and for the said purpose, it is stated that the petitioner would give a detailed representation to respondent No.4 and prays that he would be satisfied in

case respondent No.4 considers the said representation, in accordance with law, in a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief.

3. Learned counsel appearing on behalf of respondent No.4 has submitted that respondent No.4 would consider the said representation in accordance with law within a period of six weeks from the date of submission of the same.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of in the following terms: -

- (i) It would be open to the petitioner to give a detailed representation to respondent No.4 within a period of two weeks from today.
- (ii) In case any such representation is filed by the petitioner, respondent No.4 would consider the same within a period of six weeks from the date of submission of the said representation and in case after considering the said representation, respondent No.4 is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to him as expeditiously as possible. In case respondent No.4 is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of six weeks.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.4 would consider and decide the matter independently, in accordance with law.

December 13, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No