

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

CWP No.14328 of 2022(O&M)

Date of Decision: 29.04.2023

Lavish Arora

.....Petitioner

Vs

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Rajinder Sharma, Advocate for the petitioner.

Mr. Sanjeev Soni, Addl., A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

[1]. The petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of mandamus, directing the respondent No.2 to release the regular stage carriage permit for plying two return trips daily on Rama to Sardulgarh via Talwandi, Lehri, Koreana, Raiya route as granted by the respondent-authority in favour of the petitioner, the communication of which was sent to the petitioner vide letter No.5710 dated 27.12.2021.

[2]. Vide the aforesaid letter, the respondent No.2 conveyed to the petitioner regarding grant of stage carriage permit on the aforesaid route and the petitioner was directed to collect the

permit in question by producing the registration certificate of the bus duly registered in his name and also directed to deposit the lump sum tax @ 2500/- per k.m. as per Government notification dated 19.09.2014.

[3]. The petitioner applied for extension of time on 21.03.2022 in terms of Rule 128 Sub Rule 5 of the Punjab Motor Vehicles Rules, 1989. The prayer was allowed by the respondent No.2 and the time was extended till 26.06.2022. In compliance of the directions, the petitioner purchased the bus bearing No.PB03-BJ-9665 on 13.06.2022 and also applied for transfer of the bus in his name. The needful in the context of transfer of the registration in the name of the petitioner was done on 28.06.2022. The petitioner has also deposited an amount of Rs.44,156/- towards motor vehicle tax and thereafter, the petitioner applied for release of permit on 24.06.2022, but the permit has not been released on the ground that the petitioner has not produced the registration certificate of the bus on 26.06.2022.

[4]. Apparently, there is transactional delay of 2 days in submitting the registration certificate of the bus, which was prepared on 28.06.2022, even though, the petitioner had already applied for registration certificate on 13.06.2022 after purchasing the bus bearing No.PB03-BJ-9665.

[5]. In view of the aforesaid factual position as narrated by

the learned counsel for the petitioner, I deem it appropriate to direct the respondent No.2 to take notice of all these attending circumstances and if the plea of the petitioner is found to be factually correct, then the needful in the context of releasing the regular stage carriage permit shall be done forthwith.

[6]. Disposed of accordingly.

29.04.2023	(RAJ MOHAN SINGH)
Prince	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No