

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

114

**CWP-14193-2023
Date of Decision: 07.07.2023**

M/S NATIONAL ENGG. COLLEGE, JALANDHAR

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

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

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed for seeking issuance of directions to the respondents to consider and decide the application of the petitioner dated 28.06.2016 (Annexure P-1) for granting authorization of imparting training of Drivers for driving vehicles carrying goods of hazardous/dangerous nature.

Learned counsel for the petitioner contends that the petitioner is a Proprietorship concern having its office in District Jalandhar in the State of Punjab. It is further averred that according to Rule 9 of the Central Motor Vehicles Rules 1989 a person who is desirous of getting the driving licence of goods carriage carrying dangerous or hazardous goods has to take certificate of training connected with the transport of such goods. It is further submitted that the petitioner having expertise in imparting training of Drivers for driving vehicles carrying goods of hazardous/dangerous nature and fulfilled the required formalities, had submitted an application dated 28.06.2016 (Annexure

P-1) with the concerned DTO, Jalandhar for grant of authorization for imparting the abovesaid training. All necessary documentations/communications with regard to the eligibility of petitioner and inspection of spot have been done by the respondent-Department. A reminder bearing No.1969/RTO/Jalandhar dated 08.09.2017 (Annexure P-5) had been issued by the Secretary, RTA, Jalandhar to the State Transport Commissioner, Punjab for considering the case of the petitioner while recommending the case of the petitioner for the grant of requisite authorization letter. However, the needful has not been done so far. The petitioner submitted numerous representations since 2021 to 2022 (Annexures P-7 to P-16); but no action has been taken thereupon till date. At last, the petitioner got issued a legal notice dated 03.11.2022 (Annexure P-17) upon the respondents but the respondents are completely silent thereon and have not proceeded the case of the petitioner.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab accepts notice on behalf of the respondents and prays for some time to complete instructions and file response, if any.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.2- The State Transport Commissioner, Punjab, near Mehfil Restaurant, Sector, 17, Chandigarh is directed to consider and decide the legal notice dated 03.11.2022 (Annexure P-17) in a time bound manner.

Learned State Counsel does not oppose the prayer made by learned counsel for the petitioner.

Accordingly, in view of the above, with the consent of the parties and without commenting anything on the merits of the case, the present petition

is disposed of while directing respondent No.2 to consider and decide the legal notice dated 03.11.2022 (Annexure P-17) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

JULY 07, 2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

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