

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

237

**CWP-22554-2021
Date of Decision: 13.12.2023**

DELHI VIDYAPEETH

..... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.... Respondents

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

Present: Mr. Vishal Sharma, Advocate for
Mr. Ishant Khangwal, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents No.1 & 2 to convert bus HR69A-3687 from diesel version to CNG version and issue registration certificate under Article 21 of the Constitution of India and a further prayer to decide the representation as well as reminders dated 16.06.2021, 23.07.2021, 25.08.2021, 31.08.2021 (Annexures P-2, P-4, P-7 and P-8).

Learned counsel for the petitioner contends that the petitioner is an educational institute i.e. Senior Secondary School. On dated 17.05.2010, petitioner purchase the bus bearing No. HR69A-3687 for transportation of school children which was valid upto dated 14.06.2020. The petitioner

installed CNG kit in the aforementioned bus on 20.08.2020 but due to lockdown and other circumstances the petitioner could not file the representation to the RTO, Sonipat to convert diesel version to CNG version and for issuance of new RC with CNG Kit. Thereafter, the petitioner submitted numerous representations including representation dated 16.06.2021 to respondent No.2 i.e. Transport Commissioner, Haryana for converting the aforesaid vehicle from Diesel version to CNG version. That on 17.06.2021, the respondent No.4 i.e. Ministry of Road Transport & Highways issued a notification regarding extension of validity of documents related to Motor Vehicle Act, 1988 and Central Motor Vehicle Rules, 1989 specifically for the vehicles whose extension of validity could not or was not likely be granted due to lock-down and which had expired since 01.02.2020 or would expire by 30.09.2021, the same may be treated to be valid till 30.09.2021. On 23.07.2021, the petitioner also sent an application to the respondent No.2 vide DVS/2021-22/234 but the respondent department did not pay any heed till date. That on 12.08.2021, petitioner received a letter No. 3814 from respondent No.3 to appear on 17.08.2021 at 11.30 am alongwith with all requisite documents of the concerned vehicle. After examining the aforesaid documents, the respondent-authorities did not resolve the grievance of the petitioner.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.2-the Transport Commissioner/Director, Haryana Roadways, Haryana is directed to consider and decide the representation as well as reminders dated 16.06.2021, 23.07.2021, 25.08.2021, 31.08.2021 (Annexures P-2, P-4, P-7 and P-8) in a time bound manner.

Learned counsel for the respondents 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-the Transport Commissioner/Director, Haryana Roadways, Haryana to consider and decide the representation as well as reminders dated 16.06.2021, 23.07.2021, 25.08.2021, 31.08.2021 (Annexures P-2, P-4, P-7 and P-8) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of four months from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

DECEMBER 13, 2023
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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