

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

249

CWP-21767-2021
Date of Decision: 26.07.2023

RAKESH GUPTA AND ORS

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Chetan Mittal, Sr. Advocate with
Mr. Mayank Aggarwal, Advocate
for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. R.K. Doon, Advocate for respondent No.5.

Mr. Birinder Singh Rana, Sr. Advocate with
Mr. Maninder Jit Singh & Mr. Nayan Deep Rana,
Advocates for respondent No.6.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the order dated 14.11.2019 (Annexure P-11) passed by respondent No.2 dismissing the appeal and the order dated 07.04.2021 (Annexure P-14) passed by the Registrar General, Haryana dismissing the Review Petition.

The application of the petitioners for seeking review of the order dated 14.11.2019 passed by the Registrar General, Haryana had been declined by the State Government on the ground that the Review Application had not been put up for permission to the State Government within the prescribed period of 90 days. Order was accordingly conveyed by Registrar General, Haryana vide order dated 07.04.2021. The case of the petitioners specifically was that the Review application had been filed on 30.01.2020 against the impugned order dated 14.11.2019 i.e. within a period of 03 months as

prescribed under the Statute and in case there has been a default of the State Agencies in seeking permission, the petitioners cannot be prejudiced.

The State Counsel, on instructions from Mr. Anand Mohan Saran, I.A.S., Addl. Chief Secretary, Department of Industries, states that the requisite permission has already been granted and that the Review Application preferred by the petitioners shall be heard by the Registrar General, Haryana. It has also been assured that the matter in question would be heard before 05th of September, 2023 to weed off the apprehension of the petitioners.

In view of the aforesaid statement made by the learned State Counsel and considering that the Review Application of the petitioners is now being taken up on merits by the Registrar General, Haryana, the order dated 07.04.2021 (Annexure P-14) is set aside. The Registrar General, Haryana shall, thereafter, pass an appropriate order in accordance with law, after affording an opportunity of hearing to the respective parties.

The parties may appear before the Registrar General, Firms and Society, Haryana on 02.08.2023 whereupon the Registrar General shall fix a date for hearing and proceed in the matter in accordance with law. Every endeavour shall be made to examine the issue expeditiously and a final order shall be passed without undue delay.

Petition stands disposed of accordingly.

JULY 26, 2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No