

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

258

CWP-23737-2022
Date of Decision: 31.08.2023

M/S SINGLA HP CENTRE AND ANR.

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Ms. Malkit Kaur, Advocate for
Mr. Vaibhav Sehgal, Advocate
for the petitioner.
Mr. Rohit Ahuja, DAG, Punjab.
Ms. Ruchi Sekhri, Advocate
for respondent No.5.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed for seeking the following
reliefs:

- "(I) Writ of Mandamus for issuing directions to respondent No.2 to release the Oil Tank Lorry of the petitioner, attached with the Bulk Poll Terminal of HPCL, Mansa Road, Phoos Mandi, Bathinda which has been illegally seized by respondents No.4 and 5 on 14.09.2022, without affording any opportunity of being heard and without any prior notice at the time, when the petitioner concern moved application for Calibration of TT No.PB-10GK-1156.
- (II) Writ of Mandamus for issuing direction to respondent No.2 to take appropriate legal action on the representation of the petitioner dated 23.09.2022 (Annexure P-6) whereby and wherein, the petitioner has prayed before respondent No.2 that the vehicle bearing No.PB-10GK-1156, Oil Tank Lorry attached with HPCL and erroneously and illegally seized by respondents No.4 and 5, may kindly be released."

Learned Counsel for the respective respondents have informed that insofar as the prayer for release of Oil Tank Lorry is concerned, an order dated 09.01.2023 has already been passed by the Controller, Legal Metrology, Punjab that the release of Oil Tank Lorry bearing Registration No.PB-10GK-1156 subject to certain conditions mentioned therein. Hence, the said prayer has already been answered.

Insofar as the prayer for seeking issuance of directions to the respondents to decide the representation dated 23.09.2022 is concerned, the said representation has already been decided vide order dated 09.11.2022 passed by the Appellate Authority concerned bearing Memo No.74. Learned counsel for the respondent No.5 undertakes to supply the copies of the abovesaid orders to learned counsel for the petitioner during the course of the day.

In view of the above and noticing that both the grievances espoused by the petitioner already stand redressed, the present petition is disposed of as having been rendered infructuous.

Liberty is, however, granted to the petitioner to seek revival of the present petition in case the above statement given by the learned counsel for the respondents is found to be false or incorrect.

AUGUST 31, 2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No