

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

(115)

CWP-27523-2023

Decided on : 07.12.2023

Smt. Kailash Vohra Educational Society

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE LAPITA BANERJI**

Present: Mr. Vivek K. Thakur, Advocate and
Mr. Akshit Pathania, Advocate for the petitioner (s).

G.S. Sandhawalia, J. (Oral)

In the present writ petition filed under Article 226 of the Constitution of India, the petitioner seeks quashing of the action of the respondent rejecting his application for renewal of permit for school bus bearing registration No.PB09S-3281, Chassis No.MC1E4DDCA9DP009682.

2. It is the contention of the petitioner that at the foot of the application dated 25.08.2023 (Annexure P-10) the authorities had written 'Less Tax Paid' and was thus not renewing the private service vehicle permit for the concerned school bus. It is the case of the petitioner that representation dated 03.11.2023 (Annexure P-11) has also been filed with the authorities raising all his grievances and that a speaking order be passed.

3. Notice of motion.

Mr. Saurabh Kapoor, Addl. AG, Punjab accepts notice on behalf of the respondents.

4. Counsel for the petitioner submits that he would be satisfied if the said representation is decided within a fixed time frame, as the school run by the petitioner-society is suffering on account of the non-plying of the vehicle.

It is the case of the counsel for the petitioner that the demand is of higher tax only on account of the vehicle being owned by the society which is running a educational institution and since the vehicle is not in the name of the educational institution itself.

5. Mr. Kapoor submits that the authority shall take a decision on the said representation within a period of 10 days from the receipt of the certified copy of this order.

6. Keeping in view the above, we dispose of the present writ petition on the assurance given by the State counsel. In case the demand is to be raised upon the petitioner-society by asking for additional amount of tax, a speaking order be passed and communicated to the petitioner.

7. Disposed of.

(G.S. SANDHAWALIA)
JUDGE

07.12.2023
Naveen

(LAPITA BANERJI)
JUDGE

Whether speaking/reasoned :	Yes	
Whether Reportable :		No