

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-136-2024
Date of decision : 08.01.2024

Sandeep Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Piyush Aggarwal, Advocate and
Mr. Raj Kaushik, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to issue / provide certified copy of the orders so passed by respondent no.3 while exercising the powers of the Regional Transport Authority Amritsar enabling the petitioner to avail his remedy of appeal or revision as provided under Sections 89 and 90 of the Motor Vehicles Act, 1988 read with Rule 85 of the Motor Vehicles Rules, 1989 as the application dated 15.12.2022 (Annexure P-3) of the petitioner along with the legal notice dated 11.11.2023 (Annexure P-5) are pending.
2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a legal notice dated 11.11.2023 (Annexure P-5) and at this stage, would be satisfied in case respondent no.3 considers the said legal notice in a time bound manner

and if after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that respondent no.3 would consider the legal notice and decide the same within a period of 10 days from the date of the receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.3 to consider the legal notice dated 11.11.2023 (Annexure P-5) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 10 days from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea raised by the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 10 days from the date of the receipt of certified copy of the present order.

5. It is made clear that this Court has not opined on the merits of the case and respondent no.3 would consider and decide the legal notice independently, in accordance with law.

(VIKAS BAHL)
JUDGE

January 08, 2024.
Davinder Kumar

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