

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

(113)

CWP-1364-2024**Date of decision: - 23.01.2024****Sushil Kumar****....Petitioner****Versus****State of Haryana and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Nischal Chetanya Manchanda, Advocate,
for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of the challan dated 22.12.2023 (Annexure P-4). Further, a prayer has also been made for directing the respondents to issue the goods carriage permit under the provisions of Haryana Motor Vehicles Rules, 1993 for which an application dated 25.09.2023 (Annexure P-3) has been filed by the petitioner. Other prayers have also been made in the present writ petition.

2. Learned counsel for the petitioner has submitted that the petitioner would limit his prayer in the present writ petition to a direction to competent authority of respondent No.1-State to consider the application dated 25.09.2023 (Annexure P-3) filed by him for the grant of goods carriage permit in accordance with the provisions of Sections 67, 77 and 80 of the Motor Vehicles Act, 1988 read with Rule 58 of the Haryana Motor Vehicles Rules, 1993, within a specified time frame and

in case the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief to the petitioner.

3. Learned counsel appearing for the respondents has submitted that competent authority of respondent No.1-State would consider the said application dated 25.09.2023 (Annexure P-3), filed by the petitioner, in accordance with law and the same would be done within a period of four weeks from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances and the limited prayer made on behalf of the petitioner, the present petition is disposed of, with a direction to competent authority of respondent No.1-State to consider the application dated 25.09.2023 (Annexure P-3) filed by the petitioner within a period of four weeks from the date of receipt of the certified copy of this order and in case competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to the petitioner as expeditiously as possible. In case, competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of four weeks.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of respondent No.1-State would consider and decide the matter independently, in accordance with law.

January 23, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No