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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-15936-2024

Date of decision: 15.07.2024

JASPREET SINGH MARWAHA

...Petitioner

VERSUS

THE PUNJAB STATE BOARD OF TECHNICAL EDUCATION AND
INDUSTRIAL TRAINING AND ANOTHER

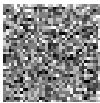
...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Harmeet Kaur, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to issue final Detail Marks Sheet (DMC) and NTC of the petitioner with correction in the name and date of birth of the petitioner, which is pending for last many years and further to issue direction to respondent No.1 to decide the legal notice dated 13.06.2024 (Annexure P-2) sent by the petitioner.
2. A perusal of the present writ petition would show that the petitioner had served a legal notice dated 13.06.2024 (Annexure P-2) to the respondents and the present writ petition has been filed on 09.07.2024, i.e. within a period of less than one month. It is not expected from the respondents to consider and decide the aforesaid legal notice within a period of 20-25 days.



Apart from the above, it is not clear from the pleadings or any document attached as to whether the aforesaid legal notice was sent or not because there is no document attached through which it can be ascertained as to whether it was sent by a registered post or by any other method. Even there is nothing on the record to suggest that the letter (Annexure P-1) was sent by any mode. It is a settled law that for seeking a writ of *mandamus*, a demand notice/legal notice/representation has to be sent otherwise a writ of *mandamus* is not maintainable. Not only this, whenever a demand notice is sent then at least some reasonable time has to be given to the authorities to consider and decide the same and in case the same is not decided within a reasonable time or no order is passed on the same, then a writ would lie. Even otherwise also, a perusal of the pleadings would show that the same are totally vague in nature. No document has been attached along with the present writ petition showing the date of birth etc., on the basis of which the petitioner is claiming the relief.

3. In view of the above, the present writ petition is dismissed as premature.

15.07.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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