



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-27934-2018 (O&M)
Date of decision: 01.08.2024

KASHMIRI LAL KHERA ADVOCATE

.....Petitioner

VERSUS

MINISTRY OF LAW AND JUSTICE THR ITS SECRETARY
SHASTRI BHAWAN NEW DELHI

.....Respondents

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

Present:- Mr. Gaurav Khera, Advocate
for the petitioner.

Mr. Sudhir Nar, Senior Panel Counsel
for respondent-Union of India.

VINOD S. BHARDWAJ, J. (Oral)

Prayer made in the present writ petition is for seeking directions to the respondents to renew the notary licence of the petitioner.

2. Learned counsel appearing on behalf of the petitioner contends that the petitioner have not submitted the application for renewal 06 months before the expiry, as mandated in the Act, on account of death of his nephew that had occurred on 10.01.2016 while the Certificate was valid till 02.04.2016. He contends that on the aforesaid account, the application for renewal has been rejected by the



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respondents.

3. Counsel for the respondent places reliance on the said Rule 8 (B) for non-renewal and reiterates the above said argument mandating the application for renewal to be submitted 06 months before expiry of the period. It is, however, not disputed by the Counsel for the parties that similar argument and issue has already been considered by this Court in ***CWP-17973-2016*** decided vide order dated 09.05.2017 passed in the matter of ***“Nirmal Singh versus Union of India and others”*** wherein the respondent-Union of India was directed to consider the application submitted by the petitioner for renewal of the Certificate of Practice as Notary by taking into consideration the proviso to Rule 8 (B) in an objective and pragmatic manner.

4. The ***Letters Patent Appeal No. 190 of 2019*** titled as ***“Union of India and another versus Nirmal Singh”*** against the said order was dismissed by this Court vide order dated 30.01.2019. Subsequently, the Special Leave Petition No. 8801 of 2019 was also dismissed by the Hon'ble Supreme Court on 04.03.2022.

5. The present issue is covered by the aforesaid order dated 09.05.2017 passed in ***CWP-17973-2016 in the matter of “Nirmal Singh versus Union of India and others”***. The present writ petition is allowed in terms of the said order.

6. Let the application of the petitioner be considered for renewal of the Certificate of Practice as Notary within a period of two months on receipt of certified copy of this order.



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7. All the pending miscellaneous application(s), if any, are also disposed of.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 01, 2024

Vishal sharma

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