

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

107

CWP-29427-2023
Date of Decision: 04.01.2024

HARSH JAIN Petitioner

VERSUS

STATE OF HARYANA AND OTHERS Respondents

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

Present: Mr. Kuldeep Singh, Advocate for
Mr. Lakhwinder Singh, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents No.2 to 5 to issue the Registration Certificate to the petitioner.

Learned counsel for the petitioner contends that the petitioner has purchased a Mahindra Pick Up bearing Registration No. HR-47-C-6419, Chasis No. MAIZUETBKGIG 58462 and Engine No. TBHIG91192 and registered on 20.10.2016 in District Rewari from respondent No.2 and paid for insurance and registration fee etc. The above mentioned vehicle sold by the original owner Bijender Kumar to Ashok Kumar in District Hisar in 2019. The NOC was also issued by the RTO, Rewari to RTO Hisar and the vehicle was also registered in the name of Ashok Kumar as a second owner

in the year 2019. Thereafter, in the year 2023 Ashok Kumar who is the second owner or present owner sold the aforesaid vehicle to the petitioner and NOC was also issued on 03.05.2023 by the RTO Hisar. The petitioner paid all the dues of the vehicle and NOC was also deposited in the office of R.T.O. Fatehabad. The RTO, Fatehabad stated that the above said vehicle was not shown in our portal and the abovesaid number of the vehicle is registered in Madhya Pradesh for the truck. The petitioner failed to get R.C. and further moved an application dated 27.10.2023 under the RTI Act but the respondent No.4 neither issued the RC to the petitioner nor any information has been supplied to the petitioner. The petitioner approached the respondents for a number of times, but nothing fruitful could be fetched. Lastly, a Legal Notice dated 01.10.2023 (Annexure P-6) has been served by the petitioner upon respondent-authorities for registration of the vehicle in question.

Notice of motion.

Mr. Vivek Saini, Additional Advocate General, Haryana appears and accepts notice on behalf of respondents.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4-Registration Transport Officer-Fatehabad is directed to consider and decide the Legal Notice dated 01.10.2023 (Annexure P-6) in a time bound manner.

Learned counsel for the respondents does not oppose the prayer made by learned counsel for the petitioner.

Accordingly, in view of the above, with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.4-Registration

Transport Officer-Fatehabad to consider and decide the Legal Notice dated 01.10.2023 (Annexure P-6) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

JANUARY 04, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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