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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of decision: 03.04.2025

Sushil Kumar

.... Petitioner

Vs.

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Balraj Singh Dhull, Advocate,
for the petitioner.

Ms. Mamta Singla Talwar, DAG, Haryana.

ARUN PALLI, J (Oral)

Petitioner (Sushil Kumar) prays for a Mandamus, commanding the respondents to refund the Motor Vehicle Tax, penalty and interest, pursuant to the notification dated 29.6.2022 (P-1), vide which, exemption was granted as regards delayed payment, w.e.f. 01.04.2020 till 28.07.2022, owing to Covid-19 pandemic.

Learned counsel for the petitioner submits that the petitioner has already deposited the Motor Vehicle Tax and penalty with respect to all the vehicles that are goods carrier. It is submitted that prior to the institution of this petition, the petitioner had even served the respondent authorities, vide representation dated 02.01.2023 (P-3), as regards his concerns/grievances. However, he submits that even though, a considerable time has elapsed, but the matter has not made any tangible progress. With reference to the order dated 06.07.2022, passed in **CWP-13904-2022 (Nav Durga Educational Social Welfare and Charitable Society Vs. State of Haryana and others)**, he submits that a Coordinate Bench, in the identical situation, had disposed of the said petition, on the statement of the learned State counsel that claim of the petitioner therein would be considered within a stipulated time.

To this, learned Deputy Advocate General, Haryana, on instructions, submits, for claim of the petitioner is under active consideration of the competent authority, it would rather be expedient if the petition is



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disposed of, at this stage, to enable the authorities to pass necessary orders on the representation (*ibid*), in accordance with law. Further, she submits that before any such orders are passed, the petitioner, if so required, shall also be heard, for which, a formal communication shall be issued to him, well in advance.

Learned counsel for the petitioner is in agreement with the course suggested by learned State counsel, and submits that let this petition be disposed of, in terms of the statement made by her. However, it is urged that the authorities be directed to decide the matter within a specified time.

In response, learned State counsel submits that appropriate orders shall be passed within a period of four weeks from today.

In the wake of the position sketched out above and in terms of the statements made by learned counsel for the parties, the petition is accordingly disposed of.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by learned State counsel.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

03.04.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No