
(2025) 02 UK CK 0988

In the Uttarakhand High Court

Case No : Writ Petition No. 190 Of 2025 (M/S)

Manmohan Sharma

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 11-02-2025

Acts Referred:

Citation : (2025) 02 UK CK 0988

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Mohd. Alauddin, Suyash Pant

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. Petitioner was appointed as Public Notary for Tehsil Laksar, District Haridwar for a period of five years vide the Notary Certificate of Practice dated 25.01.2005, which was renewed from time to time. He applied for renewal of his Certificate of Practice in accordance with the provisions contained under the Notaries Act, 1952 and the Notaries Rules, 1956. He deposited the prescribed fee. The District and Sessions Judge, Haridwar had forwarded his recommendation for renewal of Notary Certificate of Practice of the petitioner. The petitioner's application for renewal of the Notary Certificate of Practice has been rejected vide impugned order dated 06.12.2024. As per the impugned order dated 06.12.2024, it is not binding to renew the Notary Certificate of Practice. Therefore, the application for renewal of the Notary Certificate of Practice of the petitioner has been rejected in view of giving opportunity to a new worthy energetic person.

2. Heard Mr. Mohd. Alauddin, learned counsel for the petitioner and Mr. Suyash Pant, learned Standing Counsel for the respondents.

3. Mr. Mohd. Alauddin, Advocate, has cont ended that an advocate cannot be

held unworthy of being appointed as a Notary. The application for renewal of the petitioner's certificate cannot be rejected in an arbitrary manner. He relies upon a judgment rendered by the Division Bench of this Court in Special Appeal No. 616 of 2019 and the judgment dated 16.07.2024, passed by the co-ordinate Bench of this Court in WPMS No. 1874 of 2024.

4. Mr. Suyash Pant, Advocate has opposed the submissions of Mr. Mohd. Alauddin, Advocate. However, he has conceded that the present matter is covered by the said judgment rendered in Special Appeal No. 616 of 2019 and the judgment dated 16.07.2024.

5. Having considered the submissions of learned counsel for the parties, the present writ petition is disposed of with a direction to the respondent no. 1 to reconsider the petitioner's request for renewal of his Notary Certificate of Practice, as per law, within a period of three weeks' from the date of production of the certified copy of this order.

6. Till decision is taken on the petitioner's request, appointment of Notary, if already not made, shall not be made.

7. It is made clear that this Court has not expressed any opinion on the merit of the case.