

CWP No.10214 of 2015

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.10214 of 2015

Date of Decision: May 20, 2015

M/s Madan Mohan Rice Mills & others

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Manish Kumar Singla, Advocate
for the petitioners.

AUGUSTINE GEORGE MASI, J. (Oral):

It is the contention of the counsel for the petitioners that the petitioners are not being permitted to operate their trucks/vehicles by respondents No.5 to 13 despite they having possessed the requisite permits/registrations. He states that the Transport Union and its office-bearers are insisting upon the vehicles which are registered with the Union and no other vehicles are permitted to operate which is a violation of Article 19 (1) (g) of the Constitution of India. The petitioners are being deprived of their right to carry out any occupation in the manner as permissible under law and therefore, action of the respondents 5 to 13 is violative of law and cannot be sustained. Petitioners have highlighted their grievances through representations, copies of which have been appended as Annexure P-1 and P-2 which have been addressed to the Station House Officer, Police Station Sadar Lehragaga, District Sangrur-

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respondent No.4 and to the Senior Superintendent of Police, Sangrur-respondent No.3. Representation has also been made to the Deputy Commissioner, Sangrur-respondent No.2 dated 18.05.2015 (Annexure P-3) but no action has been taken thereon and the petitioners are unable to operate their vehicles.

Counsel for the petitioners has referred to the orders passed by this Court in CWP No.20299 of 2012, titled as 'K.S. Agricultural Pvt. Ltd. Vs. State of Punjab & others', decided on 10.10.2012 and some other orders passed in similar writ petitions to contend that the petitioners are entitled to protection of law and any violation thereof by the private respondents need to be taken seriously and appropriate steps taken by the Competent Authority in this regard. His submission is that the petitioners, at this stage, would be satisfied if a direction is issued to the Deputy Commissioner, Sangrur; the Senior Superintendent of Police, Sangrur and the Station House Officer, Police Station Sadar Lehragaga, District Sangrur, respondents No. 2 to 4 respectively to consider and decide the representations dated 04.05.2015, 05.05.2015 and 08.05.2015 (Annexures P1 to P-3 respectively) within some specified time.

Without going into the merits of the case or commenting thereon, the present petition is disposed of with directions to the Deputy Commissioner, Sangrur; the Senior Superintendent of Police, Sangrur and the Station House Officer, Police Station Sadar Lehragaga, District Sangrur, respondents No. 2 to 4 respectively, to

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consider and decide the representations dated 04.05.2015, 05.05.2015 and 08.05.2015 (Annexures P1 to P-3 respectively) within a period of two weeks from the date of receipt of certified copy of this order and if some substance is found therein, appropriate steps including providing protection, in accordance with law, be initiated thereafter.

May 20, 2015
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE