

CWP No.11333 of 2015

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

CWP No.11333 of 2015

Date of Decision: May 28, 2015

M/s Noor Agro Industries & others

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Sanjiv Gupta, 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 own/hired trucks/vehicles by respondent No.4 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 respondent No.4 and its office-bearers is violative of law and cannot be sustained. Petitioners have highlighted their grievances through representation dated 20.04.2015 (Annexure P-2) which has been addressed to the Senior Superintendent of Police, Sangrur-respondent No.3 but no action has been taken thereon and

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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 respondent No.4 and its office-bearers 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 Senior Superintendent of Police, Sangrur-respondent No.3 to consider and decide the representation dated 20.04.2015 (Annexure P-2) 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 Senior Superintendent of Police, Sangrur to consider and decide the representation dated 20.04.2015 (Annexure P-2) 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 28, 2015

Harish

**(AUGUSTINE GEORGE MASIH)
JUDGE**