

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12224 of 2015

Date of decision: 08.06.2015

Pritam Bus Service (Regd.) Khanna, District Ludhiana through
Jaswant Singh its partner

...Petitioner

Vs.

The Secretary, Regional Transport Authority, Patiala

...Respondent

CORAM: HON'BLE MR.JUSTICE GURMEET SINGH SANDHAWALIA

Present: Mr. Rohit Kapoor, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral).

Challenge in the present writ petition is to the notice dated 1.6.2015 (Annexure P/7) whereby the Regional Transport Authority, Patiala has asked for certain documents to be produced including permit and upto date tax clearance etc.. The date fixed for hearing is 9.6.2015. Relevant part of the notice reads as under:-

“In order to issue Joint Time Table, this authority, on the date specified below, shall check original permit and upto date tax clearance. All the operators should produce original permits, upto date tax clearance, along with attested photocopy of the permit/time table on the date fixed, along with information regarding Time Table in the following performa. In case permit and tax clearance is not produced, their services shall be deleted from the Joint time table.

STU/Name of the Company.

S.No.	Time Allotted as per old TT	Name of route	Permit No. & Validity	No. of Rts.
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Documents in respect of the following routes shall be checked between 10.00 AM to 1.00 PM on the date fixed, the Time Table prepared with the mutual consent of all the concerned operators on their routes, shall also be produced on the date fixed, before

the undersigned authority, which shall be affixed on the Notice Board and the hearing shall be afforded on the date fixed.

xxx

xxx

xxx

Note: The time table prepared mutually shall be produced on the date fixed for production of documents for verification/approval. After scrutiny of the documents, the same shall be put up on the Notice Board, for hearing by the authority.”

A perusal of the above notice would thus go on to show that the operators have been asked to produce certain documents including original permits, upto date tax clearance, along with attested photocopy of the permit/time table and the joint Time Table is thereafter to be issued. In case the said documents are not produced, their services shall be deleted from the Joint time table.

In such circumstances, it is open to the petitioner to approach the said authority along with the requisite documents. At this stage, the present writ petition is pre-mature. If there is any violation of any statutory provision, it is open to the petitioner to file objections before the respondent. It is needless to say that in case the objections are filed, the respondent shall take into consideration the said objections and pass a speaking order. In case any adverse order is passed, it shall always be open to the petitioner to approach this Court, if necessary.

The present writ petition is disposed of in the above said terms.

08.06.2015
Pka

(G.S.SANDHAWALIA)
JUDGE