

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

131

Civil Writ Petition No.13467 of 2015

Date of Decision: July 09, 2015

M/s Kewal Rice Mill, Gaushala Road, Jakhal, P.S. Jakhal, Distt. Fatehabad
and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioners that the petitioners are the owners of the rice sheller units and they are not being permitted and rather restrained by respondents 5 to 10 to use any other vehicle for transportation of the goods except the trucks and other vehicles registered with the Truck Operator Union, Jakhal. This, the counsel for the petitioners, contends, is not permissible in law as it violates Article 19 (1) (g) of the Constitution of India, which gives the right to carry on any occupation in the manner they want. The action of respondent No.5-Union being violative of law cannot be sustained.

Counsel for the petitioners further contends that highlighting the said grievance, the petitioners have submitted a complaint, which has been received by the S.H.O., Police Station, Jakhal, District Fatehabad, on 20.06.2015 (Annexure P-1) but no action thereon till date has been taken.

Counsel for the petitioners has referred to the orders passed by this Court in

Civil Writ Petition No.20299 of 2012 titled as *K.S. Agricultural Industries Pvt. Ltd. Versus State of Punjab and others*, decided on 10.10.2012 and similar other order passed in other writ petition, copy of which has been appended as Annexures P-2, to contend that the petitioners are entitled to protection of law and any violation thereof by the respondents needs to be taken seriously and appropriate steps be taken by the competent authority in this regard. His submission is that the petitioners, at this stage, would be satisfied if liberty is granted to the petitioners to file a detailed representation to the Superintendent of Police, Fatehabad, District Fatehabad-respondent No.3 and S.H.O., Police Station, Jakhal, District Fatehabad-respondent No.4, which shall be submitted within a period of one week from today, which may be directed to be considered and decided within some specified time.

In the light of the statement made by counsel for the petitioners, without going into the merits of the case or commenting thereon, the present petition is disposed of with directions to the Superintendent of Police, Fatehabad, District Fatehabad-respondent No.3 and S.H.O., Police Station, Jakhal, District Fatehabad-respondent No.4 that in case the petitioners submit a representation to them, appropriate steps, in accordance with law be taken, if required.

July 09, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**