

CWP No.17465 of 2015

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

CWP No.17465 of 2015
Date of decision: 24.08.2015

Gurjeet Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?
- 2) To be referred to the Reporters or not ?
- 3) Whether the judgment should be reported in the Digest ?

Present: - Mr. Akshay Jain, Advocate, for the petitioners.

PARAMJEET SINGH, J. (ORAL)

Instant writ petition under Articles 226/227 of the Constitution of India has been filed seeking following reliefs: -

- “(a) Call for the entire record of the case;*
- (b) a writ in the nature of Mandamus directing the respondents No.1 to 8 to take appropriate action against the respondent No.15 in respect of the illegal, arbitrary and discriminatory action of the respondent No.15 in not permitting the truck operators, including the petitioners, to lift the food grains of various procurement agencies i.e. respondents No.9 to 14 in accordance with the gross vehicle weight (capacity), as approved by the State Government;*

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- (c) *to issue further a writ in the nature of Mandamus directing the respondents No.5 to 8 to take appropriate legal action against the illegal plying of the trucks in complete violation of the provisions of the Motor Vehicles Act, 1988;*
- (d) *to issue further a writ of Mandamus directing the respondent No.1 to 8 to issue necessary directions to the respondent No.15 for permitting the truck operators, like the petitioners, to lift the food grains of various procurement agencies i.e. respondents No.9 to 14 in accordance with the gross vehicle weight of the vehicle, as approved by the State Government;*
- (e) *to issue further a writ of Mandamus directing the respondents No.1 to 8 to protect the life and liberty of the petitioners and such like operators at the hands of the respondent No.15.”*

Learned counsel for the petitioners confines his prayer to the relief mentioned as prayer (c). Learned counsel contends that a large number of vehicles, specifically trucks are plying illegally without any registration. The vehicles are in dilapidated condition and are not road-worthy. Even no permit has been granted for plying these vehicles.

In view of above, it is directed that respondent No.5 – Deputy Commissioner and District Transport Officer, Sangrur and respondent No.7 – Regional Transport Authority, Patiala, shall look into this aspect and needful shall be done within a period of one month from the date of receipt of certified copy of this order. Petitioners will be at liberty to supply the list of vehicles, which are plying without any registration and

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permit, to both the concerned authorities.

Disposed of.

August 24, 2015
R.S.

(Paramjeet Singh)
Judge