

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

CWP No.26182 of 2015

Date of Decision: 15.12.2015

Kundan Singh and others

. . . .Petitioners

Versus

State of Punjab and others

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Vivek Rattan, Advocate, for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioners are allegedly the owners of the trucks which are not being allowed, allegedly by respondent No.5/Union, for transportation of goods from Dhuri on the premise that the owners of the trucks are not the members of their union.

This petition is filed seeking a direction to respondents No.1 to 4 to protect their life and liberty, prohibiting respondent No.5 from interfering in their transport business.

According to me, the dispute raised by the petitioners is essentially of a civil nature as the prayer made by them is of seeking an injunction against respondent No.5 to restrain them from interfering in their business, therefore, the remedy lies with the petitioners to file a suit for declaration and permanent injunction, if so advised, instead of invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

Accordingly, the present petition is hereby disposed of with the liberty aforesaid.

**(RAKESH KUMAR JAIN)
JUDGE**

15.12.2015

Vivek

VIVEK PAHWA
2015.12.17 15:41
I attest to the accuracy and
authenticity of this document
High Court Chandigarh