

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CWP No. 5497 of 2015

Date of Decision: March 25, 2015

M/s Dharampal Rice Mills and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Surinder Garg, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioners contends that the grievance of the petitioners is that respondents No. 6 and 7 are not permitting the petitioners to use any other vehicle for the transportation of their goods except the trucks and other vehicles registered with the Truck Union. 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. 7-Union being violative of the law cannot be sustained.

Counsel for the petitioners further contends that the petitioners have highlighted this grievance through a representation/complaint to the Senior Superintendent of Police, Mansa dated 11.03.2015 (Annexure P-2), which, till date, has not been responded to. Apart from this, an application was also

submitted to the Station House Officer, Police Station City, Budhlada dated 11.03.2015 (Annexure P-1) which also has not been acted upon till date.

Counsel for the petitioners has referred to the orders passed by this Court in CWP No. 20299 of 2012 titled as **K.S.Agricultural Industries Pvt. Ltd. vs. State of Punjab and others**, decided on 10.10.2012 (Annexure P-3) and similar other orders passed in other writ petitions, copies of which have been appended as Annexures P-4 and P-5 respectively, 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 a direction is issued to The Senior Superintendent of Police, Mansa and The Station House Officer, Police Station City Budhlada, District Mansa, respondents No. 2 and 4 respectively to consider and decide the complaint/representation dated 11.03.2015 (Annexures P-1 and P-2 respectively) 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, Mansa and The Station House Officer, Police Station City Budhlada, District Mansa, respondents No. 2 and 4 respectively to consider and decide the complaint/representation/application dated 11.03.2015 (Annexures P-1 and P-2 respectively) 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, in accordance with law, be initiated thereafter.

March 25, 2015
pj

(AUGUSTINE GEORGE MASIH)
JUDGE