

COCP No.1317 of 2015 (O&M)

Date of Decision: November 09, 2016

The Luxmi Cooperative Transport Society Ltd.

.....Petitioner

Versus

Gagandeep Singh and another

....Respondent

CORAM:- HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIHPresent: Mr. Amit Jhanji, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging violation of the undertaking as submitted by the State with regard to the issuance of the time table to the petitioner which is now being sought to be modified. Reference in this regard has been made to the order dated 12.05.2015 passed in Civil Writ Petition No.323 of 2015 (*The Fatehabad Ganpati Bala Ji Cooperative Transport Society Limited and others Vs. The State of Haryana and others*) (Annexure P-7) and the communication dated 27.05.2015, which the petitioner has received, copy whereof has been appended as Annexure R1/3, wherein the trips which the petitioner was originally granted i.e. three return trips have been reduced to two return trips. He, thus, contends that the respondents have violated the undertaking given to this Court as recorded in the order dated 12.05.2015.

This contention of learned counsel for the petitioner is not accepted by counsel for the State. He, asserts that as per the criteria, which was being violated, the petitioner was entitled to only two return trips and

accordingly the modification had to be carried out keeping in view his eligibility and entitlement. The reasoning as has been given by the respondents in the affidavit being in accordance with law, cannot be said to be violative of the undertaking given to this Court.

It may be added here that the petitioner has a remedy against Annexure R-1/3 of which the petitioner is aggrieved and, if so advised, he may avail of his remedy in accordance with law.

Disposed of as such.

Rule issued to the respondents stands discharged.

(AUGUSTINE GEORGE MASIH)
JUDGE

November 09, 2016

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No