

In the High Court of Punjab and Haryana at Chandigarh.

1. CWP No.20699 of 2015
Decided on 29.2.2016

The Kisaan Co.op. TPT Society Ltd, Sonapat,

--Petitioner

Vs.

State Transport Controller, Haryana and another

--Respondents

2. CWP No.20700 of 2015

The Gehlawat Co.op. TPT Society Ltd, Sonapat,

--Petitioner

Vs.

State Transport Controller, Haryana and another

--Respondents

3. CWP No.20701 of 2015

The Ankur Co.op. TPT Society Ltd, Thana Kalan (Sonapat),

--Petitioner

Vs.

State Transport Controller, Haryana and another

--Respondents

4. CWP No.20702 of 2015

The Shiv Co.op. TPT Society Ltd, Chitana, VPO Kakroi (Sonepat)

--Petitioner

Vs.

State Transport Controller, Haryana and another

--Respondents

5. CWP No.20703 of 2015

The Narayan Co.op. TPT Society Ltd, (Sonepat)

--Petitioner

Vs.

State Transport Controller, Haryana and another

--Respondents

6. CWP No.20704 of 2015

The New Kharkhoda Co.op. TPT Society Ltd, Kharkhoda (Sonepat)

--Petitioner

Vs.

State Transport Controller, Haryana and another

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr. B.S.Giri, Advocate, for the petitioner

Ms.Gaganpreet Kaur, AAG, Haryana

Rakesh Kumar Jain,J: (Oral)

This order shall dispose of six petitions bearing CWP Nos. 20699, 20700, 20701, 20702, 20703 and 20704 all of 2015 because issue involved in all these petitions is common. However, for the sake of convenience, the facts are being extracted from CWP No.20699 of 2015.

The petitioner has prayed for a writ in the nature of certiorari for quashing the letter dated 14.09.2015 issued by respondent No.2, imposing penalty @ Rs.25/- per day on account of late deposit of bus stand/ adda fee.

Shorn of unnecessary details, learned counsel for the petitioner has relied upon a decision of this Court rendered in the case of **The Barwala Janta Cooperative Transport Society Barwala Vs. State Transport Controller, Haryana and others** (CWP No.16296 of 2012) decided on 11.7.2013.

Learned counsel for the respondents has fairly conceded that there is no provision under the Motor Vehicles, Act,1988 or the Haryana Motor Vehicle Rules,1993 for imposing penalty of ₹25/- per day even by the State Transport Commissioner, Haryana, Chandigarh.

In view of the above and also the decision of this Court rendered on 11.7.2013, these petitions are allowed and the impugned order is hereby set aside.

29.2.2016

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(Rakesh Kumar Jain)

Judge