

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

CWP No.20698 of 2016

Kartar Bus Service Ltd.

... Petitioner

Versus

The State of Punjab and another

... Respondents

(2)

CWP No.20713 of 2016

Doaba Roadways Ltd. and another

... Petitioners

Versus

The Secretary, Regional Transport Authority and others

... Respondents

(3)

CWP No.20793 of 2016

Baljinder Singh and others

... Petitioners

Versus

The State of Punjab and others

... Respondents

Decided on :03.10.2016

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Rohit Kapoor, Advocate for the petitioner
in CWP No.20698 of 2016.

Mr. P.S. Bawa, Advocate for the petitioners
in CWP No.20713 of 2016.

Mr. Baldev S. Sidhu, Advocate for the petitioners
in CWP No.20793 of 2016.

G.S. Sandhawalia, J. (Oral)

The present order shall dispose of three writ petitions i.e. CWP Nos.20698, 20713 and 20793 of 2016, as common questions of law and fact are involved. The facts are being taken from ***CWP No.20698 of 2016 'Kartar Bus Service Ltd. Vs. The State of Punjab and another'***.

The petitioner in the said case is seeking setting aside of the notices, which have been published in the Motor Transport Gazettee (Weekly), Chandigarh dated 01.09.2016, 08.09.2016, 15.09.2016 and 22.09.2016, Annexures P-6 to P-9, respectively.

Vide the said notices, the General Public has been put to notice that certain stage carriage permit holders have applied for grant of curtailment/extension/diversion and increase in trips against their regular stage carriage permits held by them. Notice has been issued by the concerned Secretary of the Regional Transport Authority at Patiala, Bathinda, Jalandhar, Hoshiarpur etc. The representation/suggestions if any on the said applications have been thus invited. The relevant part of one of the notices read as under:-

“Notice for varying the conditions of the permits is hereby given for the information of general public. Representation/suggestions if any against the above said applications should reach in the office of the Secretary, Regional Transport Authority, Patiala within a period of 30 days from the date of publication of this notice by sending simultaneously copy thereof to the applicant company under registered A.D. cover. The representation so received will be consider alongwith the applications in the meeting of R.T.A on a date to be notified separately.

*Secretary,
Regional Transport Authority,
Patiala.”*

It is not disputed that in pursuance to the same, the petitioner

has also raised various objections on 26.09.2016 (Annexure P-13) in one of the cases. The agenda of the meeting of the State Transport Commissioner to be held on 04.10.2016 for considering the applications (Annexure P-14) has also been attached and similarly the agenda of the meeting dated 06.10.2016 (Annexure P-15).

Keeping in view the fact that the petitioners have filed representations as per the notices issued by the R.T.A, this Court is of the opinion that approaching this Court at this stage is pre-mature. A perusal of the one of the notice dated 13.08.2016/01.09.2016 (Annexure P-6) would go on to show that as many as 32 routes are sought to be varied extended/diverted. It is for the petitioners, accordingly, to approach the relevant authorities who are under a bounden duty to dispose of the objections and the representations raised in pursuance of the notices, which have been issued before final decision is taken.

Mr. Bawa has candidly submitted that he would be satisfied if these representations which have been filed are decided at the time of proposed meeting.

Accordingly, the writ petitions are held to be pre-mature and are disposed of with the aforesaid observations. It will be open to the competent authorities to decide the representations in accordance with law.

OCTOBER 03, 2016

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No