

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 25311 of 2014
Date of decision: 01.12.2016

Rajindra Cooperative Transport SocietyPetitioner(s)

Versus

State of Haryana and others ...Respondent(s)

CWP No. 25411 of 2014

Anand PalPetitioner(s)

Versus

State of Haryana and others ...Respondent(s)

AND

CWP No. 26108 of 2014

The Krishna Transport Cooperative SocietyPetitioner(s)

Versus

State of Haryana and others ...Respondent(s)

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

Present: Mr. Baldev Kapoor, Advocate,
for the petitioners.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

G.S.SANDHAWALIA, J. (Oral)

This order shall dispose of three writ petitions i.e. CWP Nos. 25311, 25411 and 26108 of 2014, as common questions of facts and law are involved in all the writ petitions. For reference, ***CWP No. 25311 of 2014, Rajindra Cooperative Transport Society vs. State of Haryana and others*** is being taken up.

The petitioner seeks the setting aside of the letter of intimation

dated 02.06.2014 (Annexure P-4) whereby, his application for grant of permission to ply the bus was rejected under the State Carriage Scheme of 2013 on Route No. 01 i.e. Panchkula to Saha via Kot Barwala, Mouli, Sahzadpur and Patheri of district Panchkula.

Counsel for the petitioner submits that scheme dated 03.11.1993 is no longer valid in view of the Division Bench judgment in ***M/s. Vijayant Travels and another vs. State of Punjab and others, 2013 (3) RCR 518***. The relevant part reads as under:-

“For the reasons mentioned in paragraph 134 of this order, we declare that the Stage Carriage Permits issued to private operators under Clause (2) of State of Haryana Scheme dated November 3, 1993 are also illegal and cannot be validated or renewed under a subsequent Scheme. These permits, however, are directed to be treated as temporary permits till the finalization of the proposed Scheme notified on October 1, 2012 or till September 30, 2013, whichever is earlier;”

It is not disputed that the said judgment has been further upheld by the Apex Court in ***SLP (C) CC No. 11106 of 2014, Ambedkar Cooperation Transport Sty. Ltd. and others vs. State of Haryana and others*** on 03.08.2016. It is accordingly submitted that in view of the orders passed by the Division Bench, no further relief can be granted in the present bunch of cases.

Accordingly, the cases are dismissed.

01.12.2016
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No

