

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

LPA no. 538 of 2016 (O&M)

Date of Decision :08.04.2016

Garg Bus Service and others

....Appellant(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

HON'BLE MRS JUSTICE LISA GILL

Present : Mr. Gurjinder Singh Thind, Advocate for the appellants

MAHESH GROVER, J.

The appellants are aggrieved of the order dated 24.2.2014 by which the Sub Divisional Magistrate, Patran has given the following directions:-

“In this manner, after perusing the replies submitted by the concerned officials and as per the orders of the learned Deputy Commissioner, Patiala and other concerned and after hearing the petitioner, it is directed that all the buses whether government or private will come to the New Bus Stand and will board and deboard the passengers therein only. To reach this new bus stand, instead of moving inside the Patran City, the road of bypass will be used despite the fact that the Executive Engineer, Construction Division, PWD(B&R) Branch Patiala has written that the road of the bypass is

not feasible for movement of heavy traffic and the buses but despite this fact, this fact has been noticed that for the past many years, the heavy trollas are passing through this bypass only. So, the report submitted by the Executive Engineer, Construction Division, PWD (B&R) Branch Patiala is not acceptable. The Executive Engineer, Construction Division, PWD B&R Branch Patiala is directed that if any deficiency is visible for plying the buses through bypass then the same shall be rectified.

These directions in fact had come after the deliberations on a report submitted by one Pawan Kumar who had filed the Civil Writ Petition no. 1450 of 2014 resulting in a mandate to the authorities to look into his grievance.

The writ Court after noticing the directions given, dismissed the prayer of the appellants who are private bus operators and are reluctant to abide by directions of the SDM.

It has been contended before this Court that the bypass road is merely a link road and 18 feet wide and thus not conducive for the heavy vehicles and national highway which is passing through the city, is ideal for passing and convenient to the passengers.

After hearing learned for the appellants, we are of the opinion that there is no merit in the appeal. Such issues are best left to the authorities who are well versed with the ground realities to direct and ensure betterment of the

administration, management of traffic and decongestion of roads. We do not find any reason to interfere with the impugned judgment, particularly, when the order of the Sub Divisional Magistrate is based on elaborate inputs from various quarters. Merely because the appellants perceived it to be inconvenient to take an alternate route would be no cause to interfere.

Hence, dismissed.

(Mahesh Grover)
Judge

08.04.2016
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(Lisa Gill)
Judge