

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

COCP No.912 of 2016

Date of Decision: 08.09.2017

M/s Dashmesh Tractor Trolleys UnionPetitioner

Versus

Harmail Singh Sra and othersRespondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Ms. Sangita Dhanda, Advocate
for the petitioner.

Ms. Akshita Chauhan, A.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

The present contempt petition has been filed under Section 12 of the Contempt of Courts Act read with Article 215 of the Constitution of India for willfully non-compliance of order dated 07.01.1997 passed in LPA No.823 of 1996.

Learned counsel for the petitioner submits that as per directions issued in the writ petition as well as in the LPA, the petitioner was entitled to use the tractor but its license was not renewed. Due to this, he was not allowed to use the tractor for non-agriculture/transport purposes. The petitioner-Union was not allowed to submit the relevant documents. Every efforts were made for renewal of licence but neither the earlier licence was renewed nor the transport permits were allowed to be continued, whereas, it was specifically directed by LPA Bench.

On the asking of the Court, learned counsel is unable to show

as to when the documents were submitted to the respondent authorities and upto which period the permits/license were valid and upto which time period those permits were to be renewed.

Learned counsel for the petitioner has also not been able to show anything from the averments made in the petition as well as in the arguments. Only on the ground that the documents were submitted and applications were made through Union but still not allowed to move applications, no direction can be issued.

Learned State counsel has submitted that no such applications were ever made by the petitioner, whereas, applications for renewal as well as for using its permits were to be moved for using their tractors for transport purposes.

No case is made out to initiate the contempt proceedings against the respondents.

The provisions of law as mentioned in the writ order as well as LPA Bench judgment are not disputed. However, in case, still any application is moved by members of the Union, before the competent authorities, they are directed to consider the same and take necessary action thereupon in accordance with law.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

08.09.2017
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No