

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 13282 of 2016

Date of decision : August 31, 2017

The Bilaspur District Truck Operators Co-operative Transport Society Ltd.

..... **Petitioners**

Versus

State of Punjab and others

..... **Respondents**

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Ramneek Vasudeva , Advocate
for the petitioner.

Mr. Saurav Khurana, DAG., Punjab.

Mr. Naveen Batra, Advocate
for respondent Nos. 7 to 16.

Mr. Sanjiv Pandit, Advocate
for respondent No.17.

RAKESH KUMAR JAIN, J (oral).

The petitioner has prayed for a writ in the nature of mandamus directing the respondent Nos. 1 to 5 to provide protection to the petitioner transport society for transporting coal by road from Kiratpur Sahib, Railway Station to Bagha and Bagheri (HP) in terms of the contract with respondent No.17, namely, Parkash Roadlines Corporation Ltd., Kiratpur Sahib, District Ropar which is allegedly valid till 14.12.2017.

During the course of hearing, learned counsel for respondent No.16, filed the reply along with a fresh agreement dated 23.6.2016 entered into between respondent No.17 M/s Parkash Roadlines Corporation Ltd. and The Kiratpur Sahib Truck Operators Co-operative Transport Society Ltd. through its President Sardar Karnail Singh which is valid w.e.f. 19.6.2016 to 31.12.2017. It is submitted that in view of the said

agreement the previous agreement with the petitioner has been terminated.

Since there is a dispute between the parties as to who is the Truck Operators Co-operative Transport Society Ltd. who would carry the coal of respondent No.17. Therefore, no relief can be granted to the petitioner until and unless it is settled that the petitioner is carrying the coal in terms of the agreement entered into by it with respondent No.17.

With these observations, the present writ petition is hereby disposed of.

(RAKESH KUMAR JAIN)
JUDGE

August 31, 2017
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No