

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

C.W.P No.14775 of 2017
Date of Decision : 12.07.2017

M/s Suraj Bus Service

..... Petitioner

Versus

Secretary, Regional Transport Authority, Jalandhar and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ajay Sharma, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

By this petition the petitioner has claimed that his time table has not been fixed as per his convenience and that of the travelling public.

The permit was issued to the petitioner on Dera Baba Jaimal Singh to Pangota route in the year 2011. The grievance of the petitioner originally was that the petitioner's bus reached Batala at 8 O' Clock and as per the provisional time table the allotted time for reaching Batala was 9 A.M and therefore the bus has to stop there for an hour for remaining journey of the route.

It is not disputed that there are 244 different operators

different parties complaining of inconvenient timings given to them in the time table. A perusal of the time table reveals that on various occasions the authorities convened meetings so that the time table of the operators could be fixed in a manner which would be as per their demands as far as possible. None of these attempts succeeded. Ultimately the respondent No.1 requested the respondent No.2 to see if he could resolve this issue with the consent of the parties. However, even this attempt failed and consequently he passed an order dated 22.06.2017 (Annexure P-10) saying that since there was no consent the old temporary adjustment is allowed to continue. '

The contention raised by the learned counsel is that the objections have to be considered by the respondent No.1 and he could not delegate this power to the respondent No.2 and consequently the impugned order is illegal.

In my opinion, the argument of the learned counsel is misplaced. A perusal of the order passed by the respondent No.1 reveals that he had only directed the respondent No.2 to see if he could decide the issue of the timings with the consent of all the parties and had stipulated in the letter dated 20.06.2017 (Annexure P-9) that if the parties were not able to come to a consensus then the old time table be made operational. By the impugned order (Annexure P-10) the respondent No.2 has only reported that the parties could not arrived at consensus and consequently as per the directions of the respondent No.1 he has made the old time table operational. Resultantly, this is not the case of delegation of power.

Consequently, the petition is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

July 12, 2017
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No
Whether reportable - Yes/No