

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

(209)

CWP-9546-2014

Decided on: March 17, 2017.

Gurdev Tourist Bus Service Regd.

.... Petitioner

Versus

State Transport Appellate Tribunal, Punjab at Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Raj Kaushik, Advocate, for the petitioner.

Ms. Anu Pal, AAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner has questioned the legality and propriety of order Annexure P-3 passed by State Transport Appellate Tribunal, Punjab, Chandigarh, dismissing the appeal of the petitioner and allowing the claim of Punjab Roadways, Ludhiana for two route permits and one route permit of respondent No.3 Arjindra Bus Service with one return trip each on Machhiwara-Malerkotla route.

In the reply, it has been averred that respondent No.1 vide order dated 03.05.2013, had allowed appeal No.275 of 2012 filed by Arjindra Bus Service and granted one stage carriage permit on said route which was surrendered by Punjab Roadways, Ludhiana and was lying vacant.

Learned counsel for the petitioner submits that in view of said fact, the petitioner has got a right under Section 104 of the Motor Vehicles Act to seek the said permit.

The petition is disposed of as withdrawn without prejudice to the right of the petitioner under Section 104 of the Motor Vehicles Act or any other legal provisions beneficial to the petitioner. In case, the petitioner avails the said remedy, any observation made by the Appellate Tribunal Punjab in the impugned order will not prejudice its rights.

(M.M.S. BEDI)
JUDGE

March 17, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No