

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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C.W.P No.9349 of 2017

Date of Decision : 12.07.2017

Gurdev Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

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

AJAY TEWARI, J. (Oral)

By this petition the petitioner has challenged the orders of the authorities by which the route permit from Amritsar to Abohar has been awarded to the respondent No.3.

Brief facts of the case are that the petitioner is the son of the freedom fighter (and is admittedly 67 years old today). He applied for the permit which had been advertised in the year 2008. Both the authorities below did not find him suitable on the ground of his age and the fact that he has no property on his name.

One of the conditions mentioned by Section 71 of the Motors Vehicles Act is evidence of financial stability. In the wake of this parameter, the decision to outset the petitioner cannot be taken to be flawed, more so since it was upheld by the Appellate Tribunal.

Learned counsel has argued that by the impugned order even though the case of the petitioner was considered yet the authorities had straightway decided to outset all the new applicants and this act is arbitrary.

In this present case, this argument may not help the petitioner since his case was decided on the anvil of financial stability. Resultantly, the ouster of other fresh applicants would not provide any cause of action to the petitioner.

Consequently, the petition is dismissed.

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

(AJAY TEWARI)
JUDGE

July 12, 2017
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No