

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

LPA No.2480 of 2016 (O&M)

Date of Decision : 01.02.2017

Gurdial Singh

....Appellant

Versus

The State Transport Commissioner, Punjab
and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.Anil K.Ahluwalia, Advocate
for the appellant.

.....

MAHESH GROVER, J. (Oral)

This appeal is against the order dated 04.10.2016 whereby the order passed by the State Transport Appellate Tribunal dismissing the appeal filed by the appellant against the non-grant of permit to the appellant was dismissed on the ground that the same had been preferred belatedly.

The learned Single Judge upheld the order of the State Transport Appellate Tribunal and we do not find any infirmity or illegality committed by him in passing the impugned order which is well reasoned and based on several precedents of this Court eloquently noticed therein.

Learned counsel for the appellant contends that the permit was not utilised by the successful operators and this would

entitle them to set up a claim.

This, however, is a misconception. If the permit has not been utilised by any successful operator, it is upto the State Transport Commissioner to evaluate the need of the public on the said route and consider the grant of such permit afresh in accordance with law.

It is made clear that we have not commented on the assertion of the appellant that the permit was never utilised. It is entirely within the domain of the State Transport Commissioner to assess whether a particular need exists on a route or not.

Appeal dismissed.

(MAHESH GROVER)

JUDGE

01.02.2017

dss

(SNEH PRASHAR)

JUDGE

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