

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

215

CWP No.20790 of 2015

DATE OF DECISION:18.04.2018

DARSHAN SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL.

Present: Mr. J.S. Bhatti, Advocate
for the petitioner.

Mr. Jagmohan S. Ghuman, DAG, Punjab.

ANUPINDER SINGH GREWAL, J.

This petition filed in the nature of public interest litigation seeks direction to the respondents to stop the illegal plying of seven seater 'Tempos' in District Faridkot and other parts of the State of Punjab.

2. The petitioner is stated to be an agriculturist and has challenged the action of the respondents allowing illegal plying of seven seater 'Tempos'. It is also stated that the Division Bench of this Court in CWP No.6576 of 2004 decided on 08.12.2004 had quashed the memo dated 08.08.1988 for issuance of permits to the 'Tempos'.

3. In the reply as well as the status reports filed by the respondents, it is stated that the State is taking measures to prevent the illegal plying of seven seater 'Tempos'. It is further stated that strict traffic checking is being done to stop the illegal plying of such vehicles. It has also been brought to the notice of public prosecutors

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20790 of 2015

-2-

that they should oppose the release of such seized vehicles on Superdari to ensure that habitual offenders are not back on the roads after the challan. The details of the vehicles plying illegally, who were issued challans or whose vehicles were impounded, have been set out in Annexure R-2 with additional affidavit of State Transport Commissioner dated 14.02.2018. Learned State counsel had also filed details of the consolidated traffic checking w.e.f. 01.01.2018 to 28.02.2018 in respect of various vehicles, which were found to be indulging in traffic violations.

4. In view of the above, we are satisfied that sufficient measures have been adopted by the respondents to check the illegal plying of seven seater 'Tempos'. The grievance of the petitioner stands substantially redressed. No further directions are required in this regard and the petition stands disposed of.

5. However, it shall be open to the petitioner to bring any case of illegal plying of seven seater 'Tempos' to the notice of the respondents and in case, they fail to take action, the petitioner shall be at liberty to apply for revival of this petition.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

18.04.2018

SwarnjitS

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