

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.1655 of 2018
Date of Decision: 25.01.2018

School Van Public Welfare Society, Amritsar

. . . . Petitioner

Vs.

State of Punjab and others

. . . . Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Dilpreet Singh Gandhi, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J.

The petitioner is a Society. It has made a prayer for the issuance of a writ in the nature of mandamus directing the respondents to follow the norms mentioned in the policy/scheme called Safe School Vahan Scheme [for short 'the Scheme'] dated 7.11.2013.

The petitioner has alleged that it comprises of members, who are the auto, bus and rickshaw drivers, involved in transportation of students and staff of the educational institutions. It is alleged that as per its information 47% of the school going children are transported by school buses, 32% by the private mode including auto, maxi cabs and rickshaws etc. and 21% by their own transportation including the bicycles, two wheelers, cars etc. It is alleged that in view of a Public Interest Litigation, this Court had issued directions to the Government of Punjab to ensure safe transport of School Children as well as road safety of school buses and to provide sufficient transportation. The Department of Transport, Government of Punjab floated a Scheme Called 'Safe School Vahan Scheme' having

three parts; A) Safer School Vahan (“Educational Institution Bus”), B) Safe School Vahan (Four Seater Euro IV Motor Cab) for the Urban & Rural Schools and C) Safe School Vahan (For Rural Government Schools).

The grievance of the petitioner is that the vehicles of the members of its association/Society are being challaned on account of wrong parking at the time when they have to drop the children to the School and/or to pick them from the school after the school is closed. It is submitted that as per the Scheme, the schools are required to have their own designated land for parking areas so that the congestion caused due to traffic in front of school could be minimized. It is thus prayed that appropriate direction may be issued to the official respondents to initiate action in terms of the Scheme.

I have heard learned counsel for the petitioner in detail and perused the available record.

The petitioner has placed on record copy of the traffic challan as Annexure P-9 in which it is mentioned that the vehicle has been challaned on account of wrong parking but it is not possible to gather from the challan that the vehicle of the member of the society has been challaned at the time when it was being used for the purpose of dropping the children to the School or picking them after school hours, therefore, in the absence of any cogent evidence, causing a grievance to the petitioner, no relief can be granted to the petitioner. Hence, the present petition is hereby dismissed.

25.01.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No