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

CWP No.24105 of 2018

Date of decision: September 20, 2018

Raj Singh Dahiya and others

...Petitioners

Versus

Union of India and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Manvender Rathee, Advocate,
for the petitioners.

Rakesh Kumar Jain, J.

The petitioners have made a prayer for seeking a direction to the respondents to resume the traffic on the National Highway No.334-B, which has been blocked by the orders of the District Magistrate, Sonipat.

The District Magistrate, Sonipat had observed that there is immense traffic congestion in Sonipat City on 10 main roads because of encroachment on roads/streets by the street vendors and shopkeepers, therefore, he passed the order on 04.12.2014 (Annexure P-2) directing that no shopkeeper shall park his/her vehicle or even allow his/her customers to park their vehicles beyond the yellow strip on the road and they were also directed not to keep the display boards, merchandise etc. beyond the shop premises. Thereafter, the District Magistrate, Sonipat, found that the heavy vehicles, coming from U.P., Panipat & Delhi and going towards Rohtak, similarly coming from Rohtak and adjoining areas, going towards UP, Panipat and Delhi are deliberately avoiding Rohtak-Gohana-Panipat National Highway to avoid toll and to avoid tax at entry point of Delhi, are plying through Sonipat City through Murthal cross, Bahalgarh & Kharkhoda-Sonipat road. It was also found that the heavy vehicles are causing obstruction and danger to human life,

health and safety, therefore, as a measure of emergency, passage of such heavy vehicles traffic (having weights of 9 tones and above) through Sonipat City from 23.10.2016 to 23.12.2016 was prohibited by the orders of the District Magistrate, Sonipat passed on 23.10.2016.

The petitioners made an application to the Deputy Commissioner, Sonipat for removing the restriction of entry/exit of heavy vehicles on National Highway No.334-B, which runs from Meerut to Loharu. They are concerned with the passage of the road from Bahalgarh to Sonipat via Kharkhauda. The petitioners have alleged that their business is being affected because of this restriction.

After hearing learned counsel for the petitioners and examining the available record, I am of the considered opinion that there is no reason for interference in this petition because the petitioners have not given any kind of data in the writ petition as to what extent their business is being affected because of the alleged restriction, which has otherwise been imposed keeping in view the extraordinary traffic congestion on the road and avoidance of payment of toll tax and entry tax by the vehicles moving on the said route.

In view of the above, I do not find any merit in the present petition and hence, the same is hereby dismissed, though without any order as to costs.

September 20, 2018
vinod*

(Rakesh Kumar Jain)
Judge

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