

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

**CWP No. 2643 of 2000
Date of decision: 10.07.2019**

Major Singh

... Petitioner

Versus

State Transport Appellate Tribunal and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: None for the petitioner.

Ms. Monica Chhibbar Sharma, Sr. DAG, Punjab.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

Case called out. No one appears on behalf of the petitioner to press this petition. However, we have heard learned counsel for the State and perused the record.

Challenge in this writ petition has been made to the order dated 28.7.1994, passed by the State Transport Commissioner, and order dated 20.9.1999, passed by the State Transport Appellate Tribunal, rejecting the application made by the petitioner for curtailment of the area of operation.

The Hon'ble Supreme Court in the case of **Jagdeep Singh Vs. Jagir Chand and another, (2001) 8 SCC 437**, held clause 7-A of the Scheme as illegal being directly in the teeth of legislative policy of liberalization of permits and ultra vires of the powers conferred upon the State Government under Section 99 of the Motor Vehicles Act, 1988.

In view of the abovesaid fact, and particularly the fact that the Scheme is no longer in existence, the relief prayed for in this writ petition has been rendered infructuous and the same accordingly stands dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

July 10, 2019

AK Sharma

Whether speaking / reasoned:
Whether Reportable:

YES
NO