

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

CWP No. 17189 of 2017

Date of decision : 28.01.2019

Yudhbir Singh & anr.

....Petitioners

V/s

State of Haryana & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Inder Pal Goyat, Advocate for the petitioner.

Ms. Sofia Gupta, AAG Haryana.

Mr. Raj Kaushik, Advocate for the applicant in CM-16454-2017

RAJAN GUPTA J.

Petitioners have preferred this writ petition in the nature of mandamus to direct respondent no. 3 to allot time table to them on Route no. 15 under City Bus Service Scheme, 2004. According to them, the route was allotted vide order dated 26.05.2017, Annexure P-8 passed in a meeting of the Regional Transport Authority. A reply has been filed by the respondents. It has been submitted therein that petitioners were permit holders under City Service Scheme, 2004. They had applied for change of route. Their request was considered by the Regional Transport Authority, Gurgaon headed by Transport Commissioner, Haryana in its meeting held on 16.05.2017 and petitioners were granted Route No. 15. In said decision, it has been inadvertently mentioned 'Pataudi' instead of 'Pataudi Road (Dhankot)'. In the proceedings of RTA, Gurugram held on 16.05.2017, a correction was made and conveyed to the petitioners vide letter no.

22.06.2017. Thus, prayer of the petitioners for allotting the route Sector 56,

Gurgaon Bus Stand, Railway Station, Sector 10 Pataudi is misconceived. Besides, petitioners did not avail the remedy of appeal as envisaged under section 89/90 of the Motor Vehicle Act. Thus, petition is not maintainable.

I find substance in the plea of the State. Petitioners cannot be allotted an alternate route only for the reason that there was a bona fide mistake in the letter issued earlier. Same was duly corrected in the subsequent meeting of the Regional Transport Authority. Petitioners did not even avail the remedy of appeal.

Under the circumstances, writ petition is without any merit and is hereby dismissed.

January 28, 2019

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No