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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.12428 of 2020 (O&M)

Date of decision: 21.08.2020

Hans Raj

....Petitioner

Versus

Transport Commissioner, Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Raj Kaushik, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this writ petition is for issuance of directions to the respondents to consider the case of the petitioner for grant of permit/offer of allotment under the Stage Carriage Scheme, 2016 in view of the orders dated 21.01.2020 (Annexure P-9) passed by the Hon'ble Supreme Court in Civil Appeal No.556 of 2020 (arising out of SLP (Civil) No.22800 of 2017).

Counsel for the petitioner submits that the petitioner has already given a legal notice dated 08.07.2020 (Annexure P-12). Counsel for the petitioner has relied upon the order dated 13.08.2020 passed by this Court in CWP No.11801 of 2020 and submits that this petition may also be disposed of in the same terms. The operative part of the said order, reads as under:-

“Petitioner has approached this Court with a grievance that in compliance with the order passed by Hon'ble the Supreme Court in Civil Appeal No.556 of 2020 (The Haryana Cooperative Transport Society Ltd. and others Vs. State of Haryana and others), dated 21.01.2020 (Annexure P-9), he applied for a route permit

CASE HEARD THROUGH VIDEO CONFERENCING

by moving an application dated 28.01.2010 (Annexure P-10). The said application has not been decided, although similarly placed persons have been considered and route permits allowed to them. Highlighting this aspect, the petitioner served a legal notice dated 08.07.2020 (Annexure P-12) upon the respondents but without any decision thereon.

Counsel for the petitioner states that the petitioner at this stage³ would be satisfied if a direction is issued to the respondents to consider and decide the legal notice dated 08.07.2020 (Annexure P-12) within some specified time.

Without going into the merits of the case and commenting thereon, the present petition is disposed of with a direction to the respondents to consider and decide the legal notice dated 08.07.2020 (Annexure P-12) by passing a speaking order within a period of four weeks from the date of receipt of certified copy of this order. Decision so taken be conveyed to the petitioner forthwith.”

Notice of motion.

On the asking of the Court Mr. A.K. Sehrawat, DAG, Haryana, who is appearing through video conferencing accepts notice on behalf of respondents – State and has not raised any serious objection to the submissions made by counsel for the petitioner.

In view of the above, this petition is disposed of with a direction to the respondents to consider and decide the legal notice dated 08.07.2020 by passing a speaking order, in terms of the order dated 13.08.2020 passed by this Court in CWP No.11801 of 2020.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

21.08.2020
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No