

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

CWP-14574-2020

Date of decision:-16.9.2020

Truck Operators Welfare Society and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Parvinder Singh, Advocate
for the petitioners.

H.S. MADAAN, J.

Case taken up through video conferencing.

By way of filing the present writ petition, petitioners seek quashing of order/letter bearing Memo No.2592 dated 9.9.2020 issued by respondent No.3 – District Food & Supplies Controller and Consumer Affairs, Shaheed Bhagat Singh Nagar being without jurisdiction and not maintainable allegedly having been issued as a counter-blast to order dated 13.7.2020 passed by learned Additional District Judge, Shaheed Bhagat Singh Nagar in an appeal titled as “Truck Operator Welfare Society Vs. Municipal Committee and others” vide which the respondents therein were restrained from forcibly dispossessing petitioner No.1 from the property under its possession.

Heard. Record perused.

Vide the impugned notice Annexure P-6, the petitioner Truck union has simply been asked to reply to the complaint received from

Members of Truck Union, SBS Nagar. In notice Annexure P6, it is mentioned that the copy of the complaint has been got received by the President, Nawanshahr Truck Owners Welfare Society, Nawanshahr, though on the bottom an endorsement, statedly in hand of petitioner is there that despite repeated request, no copy of alleged complaint has been given till date.

As far as contention of learned counsel for the petitioners is concerned that the petitioners have not received copy of the complaint to which the response has been sought, it is observed that District Food & Supplies Controller and Consumer Affairs, Shaheed Bhagat Singh Nagar would supply a copy of complaint to the petitioners against receipt and then affording them reasonable time to file response to it and thereafter whatever action is warranted may be taken.

Under the circumstances, since the petitioner has been asked to respond to the complaint filed by some members of the Truck Union, Nawanshahr, the petitioners should respond to the same and the writ petition at this stage challenging the said notice is not maintainable.

The present petition is disposed of accordingly.

If thereafter the petitioners still feel aggrieved, they may seek legal remedy in accordance with law.

16.9.2020
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(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No