

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

**CWP-PIL-137-2020
Date of decision: 30.9.2020**

Saravjeet Kaur

... Petitioner

Versus

State of U.T. Chandigarh and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Ajay Kamboj, Advocate,
for the petitioner.
(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court).

ARUN PALLI, J. (ORAL)

The petitioner, who purports to have approached this Court in public interest, prays for a Mandamus commanding respondents No.2 and 3 to block the foreign mobile application '**indriner**', and the application be removed from Google Play Store/APP Store.

The limited grievance that the petitioner has is: it is mandatory for every cab service provider to obtain a cab aggregator licence under Web-based aggregator scheme. The licence mandates that every driver, who is enrolled by the service provider, undergoes a police verification to ensure consumer safety. Whereas, the company, '**Indriver**', without obtaining requisite permit or licence from the competent authority, is controlling the cab operations in tricity, i.e. Mohali, Chandigarh and Panchkula. Thus, for the company does not have a licence or a proper verification process, the public safety is at stake. Unregulated or illegal service being provided is also causing loss of revenue to the State and the Central Government. In fact, in Malaysia and Philippines, the operations of the Company have since been banned. The petitioner, vide representations/complaints dated 24.7.2020 (Annexure P-3), 12.8.2020 (Annexure P-4) and 12.8.2020

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(Annexure P-6) had even expressed her concerns to the respondent authorities. But to no avail.

Notice.

Mr. Ashu Mohan Punchhi, Public Prosecutor, accepts notice on behalf of respondents No.1 to 3, and Mr. Pankaj Jain, Senior Standing Counsel, for U.T., Chandigarh, with Mr. Anil Mehta, Additional Standing Counsel, and Ms. Subreet Kaur, Advocate, accepts notice on behalf of respondents No. 4 and 5.

Learned counsel for respondents No. 1 to 3 submits that independent of the complaints/representations, the petitioner purports to have submitted, the administration is already in seizen of the matter, and its implications and other co-lateral concerns are being examined, in terms of the provisions of the Information and Technology Act, 2000, the Companies Act, the Motor Vehicles Act as also under Cyber Laws. A decision in this regard is likely to be reached soon. Thus, he submits that let this petition be disposed of, at this stage, to enable the administration to take an effective and considered decision in the matter.

For the matter is already under active consideration of the administration and is being deliberated upon, we consider it expedient, at this stage, to dispose of the petition, in terms of the statement made by learned counsel for respondents No.1 to 3, and close the proceedings.

Ordered accordingly.

Needless to assert that this order shall not constitute any expression of opinion of the merits of the case.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

September 30, 2020
AK Sharma