

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20182-2019 (O&M)

Date of decision: - 27.02.2020

M/s Sun Travels Regd. Batala

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rajinder Sharma, Advocate,
for the applicant-petitioner.

Mr. Navdeep Chhabra, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-3478-CWP-2020

Application is allowed, as prayed for.

CM-3482-CWP-2020

Present application has been filed on behalf of applicant-petitioner to place on record written statement filed on behalf of respondents No.1 and 2.

In view of the averments made in the application, the same is allowed. Written statement filed on behalf of respondents No.1 and 2 is taken on record, subject to all just exceptions.

CWP-20182-2019

In the present writ petition, the claim of the petitioner is that

he had submitted two applications on 21.02.2018 (Annexures P-3 and P-4), claiming the grant of the State Carriage Permit for operating the light motor vehicles on Gurdaspur to Chak Sharif via Nasshera Pattan route.

Learned counsel for the petitioner states that though the said applications were submitted in February, 2018, but no decision has been taken on those applications. The prayer of the petitioner is for issuance of a direction to the respondents to consider the applications (Annexures P-3 and P-4) and pass appropriate orders on those applications.

After notice of motion, respondents have filed a short reply by way of an affidavit.

In the said affidavit, respondents have attached an order dated 31.10.2019 (Annexure R-1), whereby both the applications (Annexures P-3 and P-4) moved by the petitioner have already been rejected. The relevant portion of the affidavit is as under: -

“1. That the petitioner company had submitted two separate applications suo-motu on 23.02.2018 for the grant of two stage carriage permits for plying eight return trips on Gurdaspur to Chak Sharif via Nashera Pattan route for LMV buses in the office of the answering respondent as per the alleged liberalized policy laid down by this Hon'ble Court vide its order dated 20.12.2012 in CWP No.15786 of 1999 which attained finality on 20.12.2016.

2. That the above mentioned applications made suo-motu by the petitioner company have already been disposed of by the State Transport Commissioner, Punjab, respondent No.2 by passing a detailed speaking order, a copy of which is annexed herewith as Annexure R-1. Therefore, the instant writ petition filed by the petitioner has been rendered infructuous.”

Learned counsel for the petitioner states that the rejection is only of one application and not the other, therefore, respondents should be directed to pass the appropriate orders on the application (Annexure P-3), which is also pending before the respondents for grant of permit on the same route.

Once in the affidavit, respondents have stated that both the applications stands rejected, vide order dated 31.10.2019 (Annexure R-1), as the said applications related to the same route, having same sitting capacity, petitioner can avail his appropriate remedy against the order of rejection of his both the applications (Annexures P-3 and P-4).

In view the above, no further orders are called for and the present writ petition is accordingly disposed of as having rendered infructuous.

February 27, 2020
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No