

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

CWP- 20862-2020

Date of Decision : December 04, 2020

Anil Kumar Rai

..... PETITIONER(S)

VERSUS

State of Haryana and others

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Amit Jhanji, Advocate, for the petitioner.
 Mr. Rajesh Gaur, Additional Advocate General, Haryana.

...

Sanjay Kumar, J.

The petitioner seeks a direction to the respondent-authorities to consider his request for grant of a Stage Carriage Permit under the Stage Carriage Scheme of 2016. In this connection, he seeks a further direction to the Transport Commissioner, Haryana, the 2nd respondent herein, to forward his application dated 28.01.2020 along with the requisite documents and Demand Draft to the Additional Deputy Commissioner-cum-Secretary-cum-Member, Regional Transport Authority, Panchkula, as well as the Additional Deputy Commissioner-cum-Secretary-cum-Member, Regional Transport Authority, Karnal, the 3rd and 4th respondents.

Be it noted that this Court had occasion to consider this very issue in CWP-7741-2020, titled 'Surender Kumar and others vs. State of Haryana and others', decided on 22.06.2020. A copy of the said order is placed on record.

The petitioner seems to be identically situated, if not better placed, when compared to the petitioners in that case inasmuch as his application in the prescribed format was submitted well within the time frame set by the Supreme Court in a batch of appeals that arose out of the litigation pertaining to supersession of the Stage Carriage Scheme of 2016 by a later scheme.

The order dated 22.06.2020 passed in the earlier case demonstrates that the authorities granted Stage Carriage Permits to even those persons who had made applications belatedly. They were accordingly directed to consider the cases of the petitioners in that case, who had submitted their representations within time and followed up with applications in the prescribed format much later.

Mr. Amit Jhanji, learned counsel for the petitioner, would point out that the petitioner submitted his application in the prescribed format on 28.01.2020 to the 2nd respondent but the same has to be considered and acted upon by the 3rd and 4th respondents.

The writ petition is accordingly disposed of directing the 2nd respondent to forward the petitioner's application dated 28.01.2020 along with annexures to the 3rd and 4th respondents for necessary further action for issuance of a route permit to the petitioner under the Stage Carriage Scheme of 2016. This exercise shall be completed expeditiously and in

any event, not later than three weeks from the date of receipt of a certified copy of this order.

It is made clear that this Court has not gone into the merits of the petitioner's claim and it is for the transport authorities concerned to consider his application on merits and in accordance with law.

No order as to costs.

December 04, 2020
Kang

(Sanjay Kumar)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No