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

**CWP No.21431 of 2021
Date of Decision:25.10.2021**

M/S PREM KUMAR ASHWANI KUMAR**Petitioner**
Vs
STATE OF PUNJAB AND OTHERS**Respondent**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.S.K Singla, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner has preferred this petition for issuance of writ, order or direction especially in the nature of mandamus, directing respondents No.1 to 5 to take appropriate action against respondents No.6 to 8 on the basis of complaints filed by the petitioner in the context of violation of his legal rights.

Petitioner is aggrieved against the inaction on the part of official respondents in not protecting the legal rights of the petitioner from being invaded by private respondents. Petitioner is carrying its business of Commission Agent and is involved in trading of crops from different market committees and use to transport the same to various places within or outside the

District Bathinda. Petitioner used to engage services of canters/trucks/tempo etc. for supply of products to various parts of the State of Punjab. Petitioner has his own fleet of vehicles as well.

The grievance of the petitioner is that the private respondents being Members of Truck Unions are interfering in the activities of the petitioner in transporting the goods from one place to other place and insisting to hire trucks from their Unions only. For the grievance in question, petitioner has already issued a legal notice dated 25.09.2021 to the Senior Superintendent of Police, Bathinda, District Bathinda, Deputy Commissioner, Bathinda and SHO, P.S. Maur, District Bathinda i.e. respondents No.3 to 5, but no action has been taken so far. Genuine grievance of the petitioner has not been redressed so far.

Learned counsel for the petitioner submits that the petitioner would be satisfied in case legal notice dated 25.09.2021, Annexure P3 is ordered to be decided by respondent No.3 at this stage within reasonable time.

Learned counsel also refers to Annexure P4 and P5 i.e. CWP No.18143 of 2006 decided on 04.10.2008 and CWP No.19923 of 2016 decided on 24.09.2016 in this context.

Notice of motion.

On asking of the Court Mr. Abhay Pal Singh Gill, AAG, Punjab accepts notice on behalf of State of Punjab.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon response from the respondents at this stage, as no order prejudicial to the interest of any party is being passed.

This petition is disposed of with a direction to respondent No.3 to decide the legal notice of the petitioner dated 25.09.2021 in accordance with law preferably within a period of one month from the date of receipt of certified copy of this order.

25.10.2021

Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No