

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

(THROUGH VIDEO CONFERENCE)

LPA-82-2022

Date of Decision:-04.02.2022

Anand Moudgil & Anr.

.....Appellants.

Versus

The State Transport Commissioner, Punjab.

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Anand Moudgil, Appellant no.1 in person.

AUGUSTINE GEORGE MASIH, J.(ORAL)

Present appeal has been filed challenging the order dated 10.12.2021 passed by the learned Single Judge whereby the writ petition preferred by the appellant for considering and deciding his application, which he had submitted on 28.07.2011 for issuance of a route permit, stands dismissed on the ground that after the earlier scheme having been substituted by subsequent scheme issued in the year 2018 i.e. Punjab Transport Scheme, 2018, the applicant/appellant has not submitted an application for issuance of a permit. This is more so emphasized upon in the light of the public notice dated 18.10.2021 (Annexure P-6), which has been issued by the competent authority of State of Punjab i.e. State Transport Commissioner, Punjab, calling upon the applicants to submit their applications. Since the appellant had not submitted any application, in

pursuance thereto learned Single Judge had proceeded to dismiss the writ petition.

The appellant, who appears in person, submits that he had filed an application earlier dated 28.07.2011 for issuance of a route permit along with the requisite fee. His submission is that he was under a bonafide belief that his application would be considered and decision taken thereon. Since the appellant is not in the transport business, he was not well conversant with the same and therefore had been waiting for the outcome thereof. Even, after coming into force the Punjab Transport Scheme, 2018 and issuance of notice on 18.10.2021 (Annexure P-6), the appellant was quite hopeful that his application dated 28.07.2011 would be considered, which he had submitted earlier along with the requisite fee. He was not aware that he had to file an application afresh, especially in the light of the fact that the amount had not been refunded to him, which he had earlier submitted as fee along with the application. He, therefore, states that a direction is required to be issued to the respondents to consider his application dated 28.07.2011 for issuance of the route permit, for which, he had filed an application.

On a categoric question put by this Court as to what steps he had taken after submission of his application on 28.07.2011 for issuance of route carriage permit, he states that he had been pressing for decision on the same. But, nothing stands indicated on the records which would show that he had been approaching the authorities for the decision on the said application. That apart, there is an inordinate delay of 10 years on the part of the appellant in approaching this Court after filing of his application in the year 2011. Further, it may be added here that Punjab Transport Scheme, 2018 has been enforced and the earlier scheme of 2011 under which the

appellant had applied, would be no more in force. The appellant, in pursuance of the public notice dated 18.10.2021 has not submitted his application for grant of route permit and thus, is not entitled to claim any benefit under the 2018 Scheme.

In the light of the above facts and circumstances of the case, we do not find any ground for interfering in the present appeal. It may be added here that there has been an inordinate and unexplained delay on the part of the appellant in approaching the Court for redressal of his grievance, if any, which disentitles the appellant for the relief as has been claimed by him, especially in the form of writ of Mandamus. The present appeal, therefore, stands dismissed.

(AUGUSTINE GEORGE MASIH)
JUDGE

(JASJIT SINGH BEDI)
JUDGE

Feburary 04, 2022
Vinay

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