

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

121

CWP-1905-2022

Date of Order: 03.02.2022

SWARAN DEEP SINGH SIDHU AND ORS

..Petitioners

Versus

TRANSPORT COMMISSIONER, PUNJAB AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Lekh Raj Sharma, Advocate
for the petitioners.

Mr. Ayush Sarna, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The petitioner applied for route permits for running the buses under the Stage Carriage Scheme. The route permits are alleged to have been allotted to some other applicants. Through this writ petition, the petitioners pray for issuance of a writ in the nature of mandamus to direct respondents to supply certified copies of the orders passed by the respondents on 14.12.2021 and various other dates.

Sh. Ayush Sarna, Assistant Advocate General, Punjab, on instructions from Mr. Sukhjit Singh, Law Officer, Transport Department, Punjab, has submitted that if the petitioners apply for certified copies of the orders, the same shall be issued to them within a period of one week, from the date of application.

The learned counsel representing the petitioners has informed the Court that a large number of applicants who remained unsuccessful have applied for certified copies but the respondents have not issued the copies.

He submits that for filing of statutory appeal under Section 89 of the Motor

Vehicles Act, 1988, a certified copy of the order is required to be attached.

This Bench fails to understand the reasons as to why a public authority is refusing or delaying the delivery of certified copy of the order. The principle of natural justice requires that all the candidates who wish to file an appeal should be provided with a certified copy if they fulfill all the requirements.

Sh. Ayush Sarna, the learned counsel representing the State is unable to justify the stand of the officials.

Keeping in view the aforesaid facts, the writ petition is disposed of with a direction to the official respondents to supply a certified copy of the order within one week to all the applicants who apply for certified copy after fulfilling the requirements.

In case the directions are not complied with, the Transport Commissioner, Punjab, shall be required to be present in the Court to explain the reasons for such non-compliance.

All the pending miscellaneous applications, if any, are also disposed of.

February 03, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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