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

**CWP-4326-2022 (O&M)
Date of Decision: 09.03.2022**

New Deep Bus Service and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Akshay Bhan, Senior Advocate, assisted by
Mr. Sangram Singh Saron, Advocate,
Ms. Surabhi Kaushik, Advocate,
Mr. Rohit Sud, Advocate and
Mr. Rohit Nagpal, Advocate, for the petitioners.

Mr. Navdeep Chhabra, DAG, Punjab.

(Through Video Conference)

HARSIMRAN SINGH SETHI J. (ORAL)

CM-3163-CWP-2022:

For the reasons mentioned in the application, the same is allowed and the applicant/petitioner is permitted to place on record Annexure P-17.

CWP-4326-2022:

In the present petition, grievance of the petitioners is that without framing of the new time table, the buses, which are already operating under the old time table, are not being allowed to operate, which is causing prejudice the petitioners.

Learned Senior counsel appearing on behalf of the petitioners submits that the petitioners have no grievance with regard to framing of the new time table by the Department concerned, but till the same is done, the buses be allowed to operate according to the old time table, keeping in view the validity of the permit which they hold on the respective routes.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, who has joined the proceedings through video conference, keeping in view the advance service of the copy of petition, accepts notice on behalf of the State.

Learned State counsel, who is being assisted by the Principal Secretary of the Department concerned, keeping in view the order dated 07.03.2022, passed by a Co-ordinate Bench, submits that the old time table was earlier being operated but the necessity to change the same arose because certain extensions which were granted in the permits to its holders were found to be illegal and those extended routes were cancelled. Learned State counsel further submits that keeping in view that those extended permits have been withdrawn in certain cases, a need arose to frame a new time table for smooth functioning of the Transport Department and to operate the buses in question. Learned State counsel further submits that six weeks time may kindly be granted to the concerned Department for framing of the final time table for operation of the buses on the routes for which they have a valid permit. Learned State counsel also submits that as certain routes have been withdrawn from number of permits being operated by passing appropriate orders by the Department, a stop gap time table for smooth operation of the buses, keeping in view the route permit which the bus operators validly possess as of now, will be issued within a period of

seven days from today, which will remain in operation till the final time table is formed and issued.

At this stage, learned senior counsel for the petitioners submits that the petitioners are not being allowed to operate their buses and they will suffer loss even till a temporary time table is framed by the Department as for the said purpose, seven days time is being sought for, hence, appropriate orders be passed with regard to operation of the buses of the petitioners on the routes for which they have a valid permit, even till a temporary time table is framed by the Department.

Learned State counsel, on instructions from the worthy Principal Secretary of the Department concerned, submits that the old time table which was already existing will be allowed to operate till a temporary time table is framed but operation of the buses will only be allowed on the routes for which they have a valid permit and not beyond the permitted routes.

Learned senior counsel for the petitioners accepts the said proposition made by learned State counsel.

Keeping in view the above, the present petition is disposed of with a direction that the Transport Department concerned, as undertaken before this Court, final time table for operation of the buses on the permitted routes be framed and issued within a period of next six weeks and till the framing of the said final time table, Department will be at liberty to issue a temporary time table for smooth operation of the buses, within a period of next seven days. With regard to operation of the buses till the framing of temporary time table, the statement of learned State counsel, as recorded hereinbefore, will remain in operation, which offer has been duly accepted

by learned senior counsel appearing on behalf of the petitioners.

The present petition is disposed of in the above terms.

09.03.2022

Apurva

(HARSIMRAN SINGH SETHI)

JUDGE

1. Whether speaking/reasoned : Yes
2. Whether reportable : No