

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

CWP-4903-2022

Date of decision: 11.03.2022

ASHWANI

...Petitioner

V/S

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Rajesh Tushar, Advocate,
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Grievance of the petitioner herein, working as a Driver in the Haryana Roadways, is against administrative order dated 20.11.2018 (Annexure P-3) and he is seeking quashing thereof on the ground that same is in violation of Section 13 of the Motor Transporters Workers Act, 1961 (hereinafter referred to as "the Act"), inasmuch as it authorizes an employer to make a driver do a duty on a continuous stretch of 12 hours in a day as against maximum 10 hours, prescribed in the Act, *ibid*.

2. Grievance is also made out that the drivers in the Haryana Roadways are being made to drive without being provided with any rest after every 05 hours of driving, as per Section 15 of the Act.

3. On advance service learned State counsel joins proceedings.

4. Heard.

5. Similar issue has already been decided by this Court vide order/judgment dated **02.12.2021 rendered in CWP No. 24481 of 2021** titled as **"Pardeep Vs. The State of Haryana and others"**.

6. Disposed of in the same terms as in **CWP No.24481 of 2021**.

11.03.2022

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No