

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

118

CWP-18200-2022

Date of decision: 22.08.2022

GANESH B.K.O AND OTHERS

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mohd. Yousaf, Advocate
for the petitioner.

Mr. Saurav Verma, Additional A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents No.2 to 5 to restrain the respondents No. 6 to 10 not to interfere in the running of business of the petitioners.

Learned counsel appearing on behalf of the petitioner submits that the petitioners are brick kiln operators and are selling the same within the district and outside by hiring the service of the transporters. However respondents No.6 to 10 who are the local transport union and the office bearers/persons affiliated thereto are not allowing the petitioners to engage the services of other transporters, except for them and thus causing illegal impediment in the smooth running of the business operations of the petitioners. He further contends that the aforesaid anti social elements are in an unholy nexus with the local police and that adequate action is not being taken despite repeated representations being submitted to the official respondents. He

submits that similar controversy had been raised before this Court through various previous writ petitions wherein the official respondents were directed to look into the grievance espoused by the petitioners therein and to ensure that no obstruction or inconvenience is caused to the petitioners therein by illegal vigilante.

Learned counsel for the petitioners contends that he had already submitted a representation in this regard to the Senior Superintendent of Police, Sangrur on 09.08.2022 (Annexure P-3) and thereafter on 10.08.2022 (Annexure P-4) along with copies of the orders passed earlier by the High Court in other similar matters. He contends that the petitioner shall be satisfied in case the present writ petition is disposed of issuing a direction to the respondent No.4 Senior Superintendent of Police, Sangrur to examine the representation (Annexure P-4) and to take an appropriate decision thereupon in terms of the judgments/orders passed earlier in similar writ petitions (Annexure P-5 to Annexure P-7).

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab appears and accepts notice on behalf of respondent-State. A copy of the petition already stands served upon the counsel for the respondent-State. He has no objection to the matter being relegated to the Senior Superintendent of Police, Sangrur and to direct him to look into the grievance being espoused and to take appropriate steps in accordance with law.

Accordingly, the present petition is disposed of directing the Senior Superintendent of Police, Sangrur to consider the representation dated 10.08.2022 (Annexure P-4) and to pass an

receipt of certified copy of this order.

Needless to mention that in the event of the grievance espoused by the petitioner found to be valid, genuine and legally tenable, appropriate steps in accordance with law shall be ensured by the Senior Superintendent of Police, Sangrur.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 22, 2022

Vishal sharma

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