

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

224

CWP-29334-2019

Date of decision: 24.08.2022

DEEKSHA WOOLEN MILLS

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Manoj Vashishtha, Advocate
for the petitioner.

Ms. Niharika Sharma, AAG, 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.1 to 3 to provide police protection to the petitioner and its employees for the execution/performance of handling and transportation of trucks hired by the petitioner as the petitioner has been threatened by respondent No.4 and other members of the Union.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is running a factory for manufacturing of hosiery products and for the purpose of transportation of goods/material etc. the petitioner hires trucks from various transportation companies and send the goods all over India. However respondent No.4 who is a local transport union and the office bearers/persons affiliated thereto are not allowing the petitioner 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 petitioner. 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 petitioner contends that he had already submitted a representation in this regard to the Commissioner of Police, Ludhiana and S.H.O. Police Station, Ludhiana on 19.08.2019 (Annexure P-1 & P-2) respectively. He contends that the petitioner shall be satisfied in case the present writ petition is disposed of issuing a direction to the respondents No.2 & 3, Commissioner of Police, Ludhiana to examine the representations submitted by the petitioner (Annexures P-1 and P-2) and to take an appropriate decision thereupon.

Notice of motion.

Ms. Niharika Sharma, AAG, 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. She has no objection to the matter being relegated to the Commissioner of Police, Ludhiana 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 Commissioner of Police, Ludhiana to consider the representations dated 19.08.2019 (Annexure P-1 and P-2) respectively 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 Commissioner of Police, Ludhiana.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 24, 2022

Vishal sharma

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