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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-W-1588-2022 in/and
CRWP-10762-2022
Date of Decision:22.11.2022

M/s Goel Road Carriers Private Limited

...Petitioner

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Anurag Chopra, Advocate
for the petitioner.

Mr. Vipin Pal Yadav, Additional Advocate General, Punjab
assisted by Swarndeeep Singh, SSP, Jalandhar (Rural).

Mr. M.S.Khaira, Advocate for
Mr. Jaswinder Singh, Advocate
for respondents No.5 to 7.

N.S.Shekhawat J. (Oral)

CRM-W-1588-2022

This application is for placing on record the reply on behalf of
respondents No.5 to 7.

For the reasons stated in the application, the same is allowed and
the reply filed by respondents No.5 to 7 is taken on record.

CRWP-10762-2022

The petitioner has filed the instant petition before this Court with a
prayer to direct the official respondents to protect the life and liberty of the
petitioner and its workers/local staff, which has been threatened at the hands of
the private respondents being the representatives of a private/independent Truck
Operator Union, which is operating at Phillaur.

Learned counsel for the petitioner contends that the petitioner has been rendering the work of Transporter to various companies including M/s Parle Biscuits Pvt. Ltd. for the past decade and even the business of Transportation and logistics. In pursuance thereto, M/s Parle Biscuits Pvt. Ltd. issued an offer letter regarding appointment as a Transporter of the Company to render the road transport services to transport their finished products from its manufacturing units to various other locations. The offer letter dated 11.10.2021 was annexed as Annexure P/1. Still further, a Transport agreement between the petitioner-company and M/s Parle Biscuits Pvt. Ltd. was executed on 10.11.2021. Learned counsel further contends that disruptions have been caused by the private Truck Unions through its Members, who have been illegally, arbitrarily stopping the trucks engaged by the petitioner-Company and causing hindrances in the smooth transportations of the products from the manufacturing units to the destination, where it has been transported. Learned counsel further contends that even the petitioner has already submitted a representation/complaint dated 10.11.2022 (Annexure P-3) apprehending threat to the life and liberty of the petitioner's employees and work. A letter was sent on 07.11.2022, to the SSP, Phillaur but no action was taken by the official respondents. The petitioner is stated to have also submitted a representation dated 11.11.2022 (Annexure P-6), but still the business of the petitioner is being hampered at the hands of the private members of the Truck Union, who are stationed outside the working units from where the transportation activity has to be undertaken.

On the last date of hearing, notice of motion was issued to the State of Punjab as well as the private respondents and the Senior Superintendent of Police, Jalandhar (Rural) was directed to remain present in the Court along with the relevant records on the adjourned date.

Today, Senior Superintendent of Police, Jalandhar, (Rural) is present in the Court and has also filed status report by way of his affidavit on behalf of respondents No.1 to 4, before this Court. The same is taken on record. He has informed the Court that the preliminary inquiry in this matter has been conducted and to maintain peace preventive action has been taken against private respondents No.5 and 6 and other related persons. He further informed the Court that he has instructed the Deputy Superintendent of Police, Sub-Division, Phillaur, and Station House Officer, Police Station, Phillaur to monitor the situation on regular basis and to review it from time to time. He further assured the Court that Deputy Superintendent of Police, Sub-Division, Phillaur has been directed to ensure that the vehicles of the petitioner-company should not be stopped by respondents No.5 to 7 or any other individual in the jurisdiction of Phillaur unless and until, there is some legal and valid reasons.

In view of the assurance given by the Senior Superintendent of Police, Jalandhar (Rural), no further orders are required.

Disposed of.

(N.S.SHEKHAWAT)
JUDGE

22.11.2022
hemlata

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