

2023:PHHC:080860

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

116

CWP No.12734 of 2023

Date of decision: 02.06.2023

MOHINDER PAL SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rohit Kapoor, Advocate and
Mr. Ashutosh Mishra, Advocate
for the petitioner.

RAJ MOHAN SINGH , J.(ORAL)

The petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of certiorari, quashing the time table approved by the respondent No.3 on 15.12.2022 in violation of principles of natural justice.

Learned counsel for the petitioner submits that the petitioner was issued regular stage carriage permit for the operation of his bus on Amritsar to Dhianpur via Sangatpura, Fatehgarh Churian route for plying three return trips. The permit in question is valid up to 20.04.2027. On 06.07.2022, a joint time table was approved by the respondent No.3 to regulate the operation of buses on the route Amritsar to Fatehgarh Churian

via Sangatpura, Dera Baba Nanak and back route in the same line. The route of the petitioner is covered up to some extent. Timings were allocated to the petitioner as well for plying of his bus. On 15.12.2022, the respondent No.3 without serving any prior notice to all the stakeholders including the petitioner framed a tentative time table *de hors* the compliance of legal requirement thereby making vital changes in the existing time table. This change in the time table unilaterally is detrimental to the interest of the petitioner as the same is intended to give some undue benefit to some influential operators. Against the illegal framing of tentative time table, the petitioner has submitted detailed representations/objections to the respondent No.3 on 04.01.2023 and 16.01.2023. The representations filed by the petitioner have not been adverted to till date.

At this stage, learned counsel for the petitioner further submits that the petitioner would be satisfied in case a speaking order is passed on the representations filed by the petitioner on 04.01.2023 and 16.01.2023.

Notice of motion.

On the asking of the Court, Mr. Sanjeev Soni, Addl. A.G., Punjab accepts notice on behalf of the respondents and submits that the respondent No.3 shall take into consideration

the representations/objections filed by the petitioner on 04.01.2023 and 16.01.2023 by passing a speaking order in accordance with law preferably within a period of one month from the date of receipt of certified copy of this order.

Disposed of accordingly.

02.06.2023

P.Bhatt

**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No