

CWP-20769-2020

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

**CWP No. 20769 of 2020
Date of Decision: 17.02.2023**

M/s Hemkund Transport Company Registered

.....Petitioner

Vs

State Transport Commissioner Punjab and Another

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Raj Kaushik, Advocate
for the petitioner.

Mr. Sanjeev Soni, Addl. A.G.Punjab.

RAJ MOHAN SINGH, J.(Oral)

The petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of Mandamus, directing the respondent No.2 to consider and decide the application dated 14.08.2019 (Annexure P-3A) filed by the petitioner within some stipulated period.

The petitioner has filed the aforesaid application for grant of stage carriage route permit in terms of new Transport Scheme of 2018. The grievance of the petitioner is that despite numerous representations, the needful in the context of deciding the application dated 14.08.2019 has not been done on legal parameters.

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Notice of motion was issued on 04.12.2020. As per short reply filed on behalf of respondents No. 1 and 2, following stand has been taken in Para no.7 and 8 of the reply.

“7. That the applications received from applicants/aspirants are under the process of being finalized/considered for grant of stage carriage permits on the routes applied for by them under Chapter V of the Motor Vehicles Act, 1988 as mandated in Clause 3E of the Punjab Transport Scheme dated 22.02.2018 as modified on 04.06.2019.

8. That the application made suo-motu by the petitioner company seeking the grant of four stage carriage permits for plying twelve return trips daily on Ahmedgarh to Sudhar via Dhurkot, Kalakh, Judaha, Nangal, Jand, Pakhowal, Dango, Leel, Sarabha, Abbuwal, Sarali, Ghuman route (Annexure P-3A) shall also be considered and decided by the Authority along with the applications as mentioned in Para No.7 above in the light of the principles/guidelines laid down by the Government for the grant of permits to such stage carriages under Chapter V of the Motor Vehicles Act, 1988.”

Learned counsel for the petitioner submits that this writ petition be disposed of in view of the stand taken by the respondents in Para No. 7 and 8 and the respondent No.2 be obligated to take necessary action in accordance with law.

Learned State counsel submits that appropriate consideration shall be given to the application filed by the petitioner, in view of the stand taken by the respondents in Para No.7 and 8 of the reply.

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Disposed of.

17th February, 2023
sapna

(RAJ MOHAN SINGH)
JUDGE

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