

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

(121)

CWP-25484-2023

Date of decision: - 09.11.2023

Deluxe Coop Transport Society Ltd.**....Petitioner****Versus****Regional Transport Authority, Jalandhar through its Secretary and
others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. P.S. Bawa, Advocate, for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab.

**********VIKAS BAHL, J. (ORAL)**

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.1 to not allow more than one bus on one permit as per the letter dated 28.07.2022 (Annexure P-2).

2. Learned counsel for the petitioner has submitted that for the grievances of the petitioner, the petitioner has given a representation dated 23.08.2023 (Annexure P-3) and the petitioner would be satisfied in case the competent authority of the Regional Transport Authority, Jalandhar considers the same in accordance with law, within a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief.

3. Learned State counsel has submitted that in the present case, a decision can be taken only after hearing the Hoshiarpur Express Transport and Sidhu Bus Service as it has been stated in the representation dated 23.08.2023 (Annexure P-3) that they are operating

three buses on one permit and the said representation would be considered as expeditiously as possible after hearing all the concerned parties.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to the competent authority of the Regional Transport Authority, Jalandhar to take a decision on the representation dated 23.08.2023 (Annexure P-3) filed by the petitioner and the said decision be taken after giving due opportunity of hearing to the Hoshiarpur Express Transport, the Sidhu Bus Service, the present petitioner and other concerned affected parties, as expeditiously as possible, preferably, within a period of six months from the date of receipt of certified copy of this order. In case the competent authority of the Regional Transport Authority, Jalandhar is of the view that the pleas raised by the petitioner are meritorious, then, the necessary relief be granted to the petitioner as expeditiously as possible. In case the competent authority of the Regional Transport Authority, Jalandhar is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of six months.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of the Regional Transport Authority, Jalandhar would consider and decide the matter independently, in accordance with law.

November 09, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No