

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

(119)

CWP-26849-2023

Date of decision: - 30.11.2023

Jaswinder Singh**....Petitioner****Versus****The State Transport Commissioner and another****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Abhishek Sharma, 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.2 to transfer the bus No.PB-05-D-9721 and replace the same with bus No.PB-03-AA-9635 on Permit No.32/REG/FZR/M/04 enabling the petitioner to operate his newly arranged bus which is standing vacant.

2. Learned counsel for the petitioner has submitted that for the grievances of the petitioner, the petitioner has given a legal notice dated 09.08.2023 (Annexure P-1) and the petitioner would be satisfied in case the competent authority of the respondent-State 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 to the petitioner.

3. Learned State counsel has submitted that the competent authority of respondent-State would consider the said legal notice dated 09.08.2023 (Annexure P-1), filed by the petitioner, in accordance with law and the same would be done within a period of four weeks from the date of certified copy of this order.

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 respondent-State to consider the legal notice dated 09.08.2023 (Annexure P-1) filed by the petitioner within a period of four weeks from the date of receipt of certified copy of this order and in case the competent authority of the respondent-State is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to the petitioner as expeditiously as possible. In case the competent authority of the respondent-State 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 four weeks.

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

November 30, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No