

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-28121-2023

Date of decision : 14.12.2023

Kamaljit Singh

... Petitioner

Versus

State Transport Authority, Chandigarh U.T. and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr.Ferry Sofat, Addl.A.G. Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari quashing the stage carriage permits no.2325/STA/22, 2326 and 2327/STA/Chd/2022 (Annexures P-2 to P-4) issued by the State Transport Authority, U.T. Chandigarh.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a legal notice dated 21/23.08.2023 (Annexure P-5) and at this stage, would be satisfied in case the said legal notice is considered by the competent authority of respondent no.1 in a time bound manner and if after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that the competent authority of respondent no.1 would consider the said legal notice and decide

the same within a period of 3 months from the date of the receipt of certified copy of the present order. It is further submitted that the same would be done after hearing all the necessary parties including respondent no.2.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the legal notice dated 23.08.2023 (Annexure P-5) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 3 months from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 3 months from the date of the receipt of certified copy of the present order. The competent authority of respondent no.1 would hear all the parties concerned including respondent no.2 before taking a final decision on the same.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.1 would consider and decide the legal notice independently, in accordance with law.

(VIKAS BAHL)
JUDGE

December 14, 2023.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No