

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

(117)

CWP-965-2024

Date of decision: - 16.01.2024

M/s Malwa Tourist Pvt. Ltd. Moga

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Raj Kaushik, 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 the respondent No.3 to release the stage carriage permit granted in response to the letter No.6644/RTA/FDK dated 20.06.2023 (Annexure P-1) for the grant of stage carriage permit on the route i.e. Moga to Mohali via Ludhiana route (Annexure P-1) issued by the Regional Transport Authority, Faridkot after completion of required legal formalities under the provisions of Motor Vehicles Act, 1988.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a legal notice dated 12.12.2023 (Annexure P-5) and at this stage, the petitioner would be satisfied in case competent authority of respondent No.1 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 counsel appearing for the respondents has submitted that competent authority of respondent No.1 would consider the said legal notice dated 12.12.2023 (Annexure P-5), 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 competent authority of respondent No.1 to consider the legal notice dated 12.12.2023 (Annexure P-5) filed by the petitioner within a period of four weeks from the date of receipt of the certified copy of this order and in case competent authority of respondent No.1 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, competent authority of respondent No.1 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 competent authority of respondent No.1 would consider and decide the matter independently, in accordance with law.

January 16, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No