

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(251-1)

CWP-2244-2023

Date of decision: - 07.05.2024

M/s Shaheed Udham Singh Transport Company and others

....Petitioners

Versus

Regional Transport Authority Bathinda and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

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

Ms. Neha Sonawane, DAG, Punjab.

Mr. Piyush Aggarwal, Advocate
for Mr. Raj Kaushik, Advocate
for respondents No.3 to 5.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of certiorari quashing the issuance of permits No.83/Reg/SC/RTA, permits No.62-63/Reg/SC/RTA dated 16.08.2022 (Annexures P-6 to P-8) in favour of respondents No.3 to 5 on Bathinda-Bhikhi via Bhucho, Rampura, Tapa, Barnala, Dhanaula route, without any authority or jurisdiction and in violation of Punjab Transport Scheme, 2018.

2. Written statement has been filed on behalf of respondents No.3 to 5 today in the Court and the same is taken on record. A copy

thereof has been supplied to learned counsel for the petitioners.

3. Learned State counsel has submitted that the impugned order is appealable under Section 89 of the Motor Vehicles Act, 1988.

4. Learned counsel for the petitioners has submitted that in view of the said objection, he seeks permission of this Court to withdraw the present Civil Writ Petition with liberty to the petitioners to file the statutory appeal before the appellate authority. It is prayed that since the petitioners were pursuing the present remedy, therefore, in case the petitioners file the statutory appeal within a period of one month from today, then, the appellate authority be directed not to dismiss the said appeal solely on the ground of limitation.

5. In view of the above, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

6. In case the petitioners file any such appeal within a period of one month from today, then, the appellate authority would not dismiss the said appeal solely on the ground of limitation.

7. It is made clear that this Court has not opined on the merits of the case and the appellate authority would decide the matter independently, in accordance with law.

May 07, 2024
naresh.k

(VIKAS BAHL)
JUDGE

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