

**CWP-14128-2024****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(126)****CWP-14128-2024****Date of decision: - 31.05.2024****Nawshera Transport Company Private Limited Amritsar****....Petitioner****Versus****State of Punjab and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Rohit Kapoor, Advocate, and
Mr. Ashutosh Mishra, Advocate,
for the petitioner.

Mr. TPS Walia, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing respondent No.2 to cancel permit numbers 133-134/CP/Reg/RTA/FDK/23 (Annexure P-11), which have been granted and issued in complete violation of the provisions of the Motor Vehicles Act, 1988, the Rules framed thereunder and the Statutory Scheme dated 22.02.2018 (Annexure P-2). Other prayers have also been made in the petition.

2. Learned counsel for the petitioner has submitted that the permits (Annexure P-11) issued in favour of respondent No.6 are illegal and not in accordance with law and regarding the same, the petitioner had

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given a legal notice dated 24.04.2024 (Annexure P-12) to the authorities of the State of Punjab including the State Transport Commissioner, Punjab and at this stage, the petitioner would be satisfied, in case, respondent No.2 considers the said legal notice and takes a final decision on the same, in accordance with law, within a specified time frame.

3. Learned counsel appearing for the respondents-State has submitted that respondent No.2 would take a final decision on the said legal notice dated 24.04.2024 (Annexure P-12), filed by the petitioner, in accordance with law and the same would be done within a period of eight 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 respondent No.2 to take a final decision on the legal notice dated 24.04.2024 (Annexure P-12), filed by the petitioner, within a period of eight weeks from the date of receipt of the certified copy of this order and after hearing all the parties concerned including respondent No.6-Frontier Transport Company Registered Amritsar.

5. It would also be open to the petitioner to raise all pleas, in accordance with law, including the plea that as per the case of the petitioner, permits issued to respondent No.6 is not in accordance with law, on 07.06.2024 before the Secretary, Regional Transport Authority, Jalandhar-respondent No.3, at the time of hearing regarding framing of time table in pursuance of the notice dated 14.05.2024 (Annexure P-15).

6. It is made clear that this Court has not opined on the merits of the case and all pleas of the petitioner as well as of respondent No.6

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and all other parties concerned would be considered by respondent No.2 before passing a final decision on the matter.

May 31, 2024

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(VIKAS BAHL)
JUDGE

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