



130 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-19043-2024 (O&M)
Date of Decision: 27.08.2024

New Malwa Highways Bus Service (Regd.)Petitioner

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.S. Rai, Advocate,
for the petitioner.

Mr. T.P.S. Walia, AAG, Punjab.

MAHABIR SINGH SINDHU. J.

Present civil writ petition has been filed under Article 226 of the Constitution for issuance of a writ in the nature of mandamus directing respondents No.3 & 4 to revoke/cancel all composite permits granted to private respondents.

2. Heard learned counsel for the petitioner and perused the paper-book.

3. It transpires that legal notice dated 03.06.2024 (P-7) was served on behalf of the petitioner and after examining the same, a Committee was constituted by respondent No.4 on 04.07.2024 (P-6).

4. For reference, the order dated 04.07.2024 (*supra*) reads as under:-

“A legal notice has been received at this office from Mr. Kultar Singh, the New Malwa Bus Service, in which he has asked to remove illegal Club Permits from the time table. A committee has been formed for this purpose, in which ATO, TTI Moga, Sanjeev Kumar Senior Assistant is appointed as a member of the committee and it is instructed that after checking the complete record the



committee will submit its report within 15 days to be undersigned so that State Transport Commissioner Punjab Chandigarh should be written for further action.”

- 5. As acknowledged by learned counsel for the petitioner, no final report has been submitted by the Committee, till date.
- 6. In view of the above, this Court is of the opinion that writ petition is pre-mature and liable to be dismissed only on this ground.
- 7. Even on advance notice, learned State counsel, after obtaining instructions, apprised the Court that in case decision is taken by the Committee and which is not suitable to the petitioner; still there would be a remedy of appeal available under Section 89 of the Motor Vehicles Act, 1988, before State Transport Appellate Tribunal.
- 8. Be that as it may, the Committee has already been constituted by respondent No.4 and report is yet to be submitted in the matter.
- 9. Thus, present writ petition is hereby dismissed, being pre-mature.
- 10. However, it is clarified that in case an occasion so arises, petitioner would be at liberty to take recourse to the remedy available under law.

Pending application(s), if any, shall also stand disposed off.

27.08.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No