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

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Date of Decision :21.05.2025

**The Radha Krishna Co-op Transport Society
Ltd (Regd.) Hisar and others**

...Petitioners

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mukul Aggarwal, Advocate for the petitioners.

Mr. Saurabh Girdhar, A.A.G. Haryana.

Mr. Bikramjit Singh Patwalia, Advocate
for respondents No.12 to 24.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the permits which have been issued in favour of the private respondents on the ground that the same have been issued in violation of Section 99 of the Motor Vehicles Act, 1988 read with Rule 115 of the Haryana Motor Vehicles Rules, 1993 and also in violation of the judgment of the Hon'ble Supreme Court of India in **Civil Appeal No.556-2020 titled as The Haryana Cooperative Transport Society Ltd. and others vs. State of Haryana and others decided on 21.01.2020** (Annexure P/13).

2. Learned counsel for the private respondents No.12 to 24 submits that the issue which has arisen in the present case was agitated by



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other similarly situated petitioners by way of filing **CWP-4040-2021 titled as The Yaduvanshi CTS Limited Hazariwas and others vs. State of Haryana and others** on the similar ground through the counsel, who is representing the petitioners herein and vide order dated 29.07.2021 passed by the Coordinate Bench of this Court, the said writ petition was dismissed though, learned counsel for the private respondents No.12 to 24 very fairly submits that against the said judgment, an appeal being LPA No.1094-2021 is pending.

3. Learned counsel for the petitioners submits that though, the issue raised in the present petition is same but certain law which existed before passing the order dated 29.07.2021 by the Coordinate Bench was not brought to the notice of the Court.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Once, the issue raised in the present petition is identical to the issue raised in **The Yaduvanshi CTS Limited Hazariwas(supra)**, which writ petition has already been dismissed by the Coordinate Bench of this Court vide order dated 29.07.2021, the claim in the present petition cannot be allowed.

6. Keeping in view the totality of the facts and circumstances of the present case, where the learned counsel for the petitioners has not been able to controvert that the issue raised in the present petition has already been decided by the Coordinate Bench of this Court while passing order in **The Yaduvanshi CTS Limited Hazariwas**, the present petition is also dismissed in terms of the said order.

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7. The pendency of an appeal against the said order will not entitle the petitioners to claim adjournment. In case, the said appeal is pending before the Division Bench of this Court, the same remedy can be availed by the petitioners as well.

7. Civil miscellaneous application pending, if any, is also disposed of.

May 21, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No