



CWP-13244-2018

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

(242)

CWP-13244-2018

Date of Decision : 20.04.2026

M/s Northern Travels, Malout

...Petitioner

Versus

The Transport Commissioner, Punjab-cum-Chairman,
Regional Transport Authority, Punjab,
Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Lekh Raj Sharma, Advocate
Mr. Abhishek Sharma, Advocate
Mrs. Kritika Sagar Sharma, Advocate and
Mr. Kabir Gautam, Advocate
for the petitioner.

Mr. Amit Kumar Goyal, Addl. AG, Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, cast under Article 226/227 of the Constitution of India, a *mandamus* is sought upon the respondents, for making compliance of order dated 20.12.2012, passed in CWP-15786-1999, by Division Bench of this Court in case titled '*M/s Vijayant Travels and another vs. State of Punjab and others*', which has attained finality upto the Hon'ble Supreme Court.

2. Learned counsel for the petitioner submits that various representations dated 01.02.2017, 17.02.2018 and 21.03.2018, which are attached with the instant writ petition as Annexures P-3 to P-6, have been made. However, the same have not been decided, till date.



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3. The instant writ petition is pending adjudication before this Court, since 2018.

4. The respondents/authorities have filed a specific reply dated 14.11.2018, admitting the fact that the order dated 20.12.2012, has attained the finality, and thereupon, the Punjab Govt. has formulated its Punjab Transport Scheme, 2018, vide notification dated 22.02.2018. As per Clause 3 E of the notified transport scheme, the rural link roads have been kept out of the purview of the Scheme, and the routes falling within the rural link roads for small size stage carriages shall be thrown open under chapter V of the Motor Vehicles Act, provided that the single length of such routes falling on the National Highways, State Highways, Major District Road and other District Road does not exceed 12 kms. It is further mentioned in the reply, that as soon as, the stage carriage permits for small size buses on such routes are granted under chapter V of the Motor Vehicles Act, 1988, the order (supra), shall be implemented.

5. Learned counsel for the petitioner, at this stage, raises a grievance to the effect, that despite giving an assurance to this Court, by filing a written statement, such action is not given affect to.

6. Learned counsel for the respondents/State, has disputed the above said fact.

7. This Court is of the considered view that as to whether, there is any violation by any private individual, or any permit has been issued against the policy (supra), is required to be examined by the authorities concerned, at first instance.

8. In view of the above, at this stage, the instant writ petition is **disposed of** with a direction upon the petitioner, to approach the authorities



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concerned, by making a comprehensive representation citing an example of any permit, which has been issued against the policy of 2018.

9. In case, such representation is filed with the authorities concerned, within a period of four weeks, from the date of receipt of certified copy of this order, the latter shall, after affording due opportunity of hearing to the petitioner, decide the representation within a period of eight weeks, thereafter.

10. Ordered accordingly.

(KULDEEP TIWARI)
JUDGE

April 20, 2026
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No