In the High Court of Punjab and Haryana at Chandigarh

CWP No. 7251 of 2008(O&M)
Date of Decision:15.09.2008

Dhillon Transport Regd.Mansa ..... Petitioner

Versus

State Transport Appellate Tribunal and others ..... Respondents

Coram: Hon'ble Mr. Justice Adarsh Kumar Goel
Hon'ble Mr. Justice Ajay Tewari

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr.P.S.Bawa, Advocate
for the petitioner.

Ms. Sudeepti Sharma, AAG, Punjab
for respondent No.2.

Mr.R.S.Sharma, Advocate
for respondents No. 3 to 5.

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Ajay Tewari, J.

This petition has been filed for quashing the order dated 13.04.2007 passed by the State Transport Appellate Tribunal, Chandigarh (hereinafter referred to as 'the Tribunal') whereby appeal of the petitioner challenging the order of the State Transport Commissioner (STC for short) dated 8.5.2005 granting permit in favour of respondents No. 3 to 5 was rejected.

By the order dated 8.05.2005 the STC had issued permits in

favour of the above mentioned private respondents primarily on the ground that they had provided explicit assurance of immediate, sound and uninterrupted bus service and that they were highly educated unemployed persons. The petitioner filed an appeal but none appeared on its behalf before the learned Tribunal. Apart from the fact that its absence by itself renders this petition liable for dismissal we find that the learned Tribunal agreed with the contention of respondent No.2 that there was nothing wrong in preferring budding operators because operators having sufficient number of permits are complacent.

We find no infirmity in the reasoning adopted by the Tribunal and thus dismiss this petition with, however, no order as to costs.

(AJAY TEWARI)
JUDGE

(ADARSH KUMAR GOEL)
JUDGE

September 15, 2008
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