

(2023) 08 SHI CK 0124

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 5767 Of 2023

Guru Nanak Dev Land Losers Transport Co-Operative Society
Limited

APPELLANT

Vs

District Collector Solan And Others

RESPONDENT

Date of Decision : 24-08-2023

Acts Referred:

Citation : (2023) 08 SHI CK 0124

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Vinay Kuthiala, Diwan Singh, Rajan Kahol, Vishal Panwar, B.C. Verma, Ravi Chauhan

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

1. Since despite there being availability of work, the petitioner is not being provided transportation work, it has approached this Court in the instant proceedings filed under Art. 226 of the Constitution of India, praying therein for the following main reliefs:

"a) . That a Writ in the nature of mandamus may kindly be issued to the respondent No.1 and 2 directing them to allot proportionate transportation work of respondent No.5 to the petitioner society in terms of the entitlement of the petitioner Society as well as the Rehabilitation and Resettlement Scheme.(P-3).

b.) That in the alternative the respondent No.1 and 2 may be directed to decide the representation dated March, 2023 (Annexure P-7 and P-8) of the petitioner within a period of two weeks in accordance with the direction passed by this Hon'ble Court in CWP No. 2184 of 2019)

C). That the respondent No.1 and 2 be directed to accord similar treatment to the petitioner society as has been accorded to other similarly situate societies

comprising of Project affected members.”

2. Before notice could be issued to the respondents, learned senior counsel for the petitioner on instructions stated that the petitioner would be content and satisfied, in case a direction is issued to respondents Nos. 1 and 2 to decide Annexures P-7 and P-8 filed by the petitioner expeditiously, in a time bound manner.

3. Having regard to nature of order proposed to be passed in the instant proceedings, there appears to be no requirement to issue notice to respondent No.5, who in the event of issuance of notice would be burdened to engage a lawyer to defend itself in the instant proceedings, which can be disposed of on the basis of material available on record.

4. In view of above, present petition is disposed of with direction to respondents Nos. 1 and 2 to decide Annexures P-7 and P-8 expeditiously, preferably within a period of two weeks from today in light of Annexure P-11. While doing the needful, the respondents/competent authority shall afford opportunity of hearing to the petitioner and other concerned parties and pass a speaking order thereafter. Liberty is reserved to file appropriate proceedings, before appropriate court of law, if it still remains aggrieved.

All pending applications also stand disposed of.