



**CWP-24021-2023 & connected cases -1-**

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

**202 (27 cases) +  
283 (02 cases) & 287**

**CWP-24021-2023 (O&M)  
Date of Decision :24.02.2025**

**Lakhwinder Singh Brar**

**...Petitioners**

**Versus**

**State of Punjab & others**

**...Respondents**

**CWP-5943-2024**

**Gurvinder Singh**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-3674-2024**

**Harnoor Singh**

**...Petitioner**

**Versus**

**State of Punjab & others**

**...Respondents**

**CWP-24697-2024**

**Amarjit Kaur**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**



**CWP-24021-2023 & connected cases -2-**

**CWP-24386-2023 (O&M)**

**Guru Kirpa Roadways**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-25812-2023**

**Jhunir Bus Service Regd. Mansa**

**...Petitioner**

**Versus**

**Presiding Officer, State Transport Appellate Tribunal,  
Punjab & others**

**...Respondents**

**CWP-26282-2023**

**Ravinder Kaur**

**...Petitioner**

**Versus**

**State of Punjab & others**

**...Respondents**

**CWP-28546-2023**

**M/s Sapolian Logistics Regd.**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**



**CWP-24021-2023 & connected cases -3-**

**CWP-1038-2024**

**New Dhillon Bus Transport Company**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-2510-2024**

**The Roop Transport Company**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-6585-2024**

**Jagsir Singh**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-26626-2023**

**The New Piyar Bus Service Pvt. Ltd**

**...Petitioner**

**Versus**

**State of Punjab & others**

**...Respondents**

**CWP-8502-2024**

**JagtarSingh @ Jagtar Singh Walia**

**...Petitioner**



**CWP-24021-2023 & connected cases -4-**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-9235-2024**

**Paramvir Singh**

**...Petitioner**

**Versus**

**Ld. State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-9784-2024**

**Sukhman Kaur**

**...Petitioner**

**Versus**

**Ld. State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-10808-2024**

**Sanveer Singh**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-27311-2023**

**Jaidev**

**...Petitioner**



**CWP-24021-2023 & connected cases -5-**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-28321-2023**

**Jagmeet Singh @ Jagmit Singh**

**...Petitioner**

**Versus**

**Learned State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-1310-2024**

**Lucky Chalana**

**...Petitioner**

**Versus**

**The State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-1423-2024**

**Harpreet Singh**

**...Petitioner**

**Versus**

**The State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-1944-2024**

**Bhola Singh**

**...Petitioner**

**Versus**



**CWP-24021-2023 & connected cases -6-**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-20980-2024**

**Pardeep Singh**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-2104-2024**

**Bhola Singh**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-2112-2024**

**Bhola Singh**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-21181-2024**

**Imaan Bakshi**

**...Petitioner**

**Versus**

**State Transport Appellate Tribunal, Punjab  
& others**

**...Respondents**

**CWP-9832-2024**

**CWP-24021-2023 & connected cases -7-****Avneet Kumar Kathuria****...Petitioner****Versus****State Transport Appellate Tribunal, Punjab  
& others****...Respondents****CWP-27576-2023****Sourav Kumar****...Petitioner****Versus****State of Punjab & others****...Respondents****283 (02 cases)****CWP-25965-2023****Harmandeep Singh****...Petitioner****Versus****The Pressing Officer and & others****...Respondents****CWP-22880-2023****Jagseer Singh****...Petitioner****Versus****The Presiding Officer and & others****...Respondents****CWP-8543-2024****Jagtar Singh @ Jagtar Singh Walia****...Petitioner****Versus****State Transport Appellate Tribunal, Punjab  
& others****...Respondents**



**CWP-24021-2023 & connected cases -8-**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Amit Jhanji, Senior Advocate with  
Mr. Sachit Singla, Advocate for the petitioner(s)  
in CWP-24021 & 26626-2023.

Mr. Hakikat Grewal, Advocate with Dr. Eliza Gupta, Advocate  
for the petitioner(s) in CWPs-24386, 25812 & 28546 of 2023  
& CWP-2510-2024.

Mr. P.S. Brar, Advocate for petitioner in CWP-3674-2024,  
CWPs-6585-2024 & 25965-2023

Mr. Raj Kaushik, Advocate for petitioner(s)  
in CWPs.20980,21181 & 22880 of 2024 &  
for respondents No.5 in CWP-26282-2023  
for respondents No.12 in CWP-27311-2023  
for respondents No.8 in CWP-1038-2024  
for respondents No.6 in CWP-2510-2024.

Mr. Lekh Raj Sharma, Advocate for the petitioner(s)  
in CWP-27311-2023, 28321-2023 & CWPs-1310,1423,  
1038, 9235 & 9784-2024 & for respondent No.9  
in CWPs-1944, 2112, 20980 & 21181 of 2024 & for  
respondent No.6 in CWP-2104-2024 & for respondent No.5  
in CWP-10808-2024 & CWP-22880-2024 & for respondent  
NO.3 in CWP-25965-2024.

Mr. K.J.S. Bhullar, Advocate for  
Me. Akshay Deep Singh, Advocate for the petitioner(s)  
in CWP-24021-2023 & for respondent No.7  
in CWP-3674-2024 & for respondent No.6  
in CWP-24697-2024.

Mr. Anil Kumar Sharma, Advocate for respondents No.10 & 11  
in CWP-24021-2023.

Mr. Arvind Galav, Advocate for respondents No.5, 6 & 7  
in CWP-1944,2104 & 2112 of 2024.

Mr. Rohit Kapoor, Advocate for  
respondents No.5 & 6 in CWP-24021-2023  
for respondents No.6 & 8 in CWPs-3674 & 5943-2024  
for respondents No.5 & 7 in CWP-24697-2024.

Mr. Punnet Bali, Senior Advocate with  
Mr. Aakash Sharma, Advocate for respondent No.4 in  
CWP-28546 & 27311 of 2023 & for respondent No.5 in  
CWP-28321-2023 & for respondent No.8 in CWP-24021-2023



**CWP-24021-2023 & connected cases -9-**

Mr. Vivek Suri, Advocate for the petitioner(s) in CWP-8543-2024 & CWP-8502-2024.

Mr. Arihant Goyal, Advocate with Mr. Saurav Saini, Advocate for petitioner(s) in CWPs-1944,2104,2112,9832,5943 & 10808 of 2024 & for respondents No.10 in CWP-27311-2023 for respondents No.6 in CWP-1310 & 1423-2024 for respondents No.3 in CWP-28546-2023 for respondents No.5 in CWP-21181 & 20980 of 2024 for respondents No.8 in CWP-26626-2023.

Mr. Rajinder Sharma, Advocate for petitioner in CWP-27576-2023.

Mr. H.S. Jalal, Advocate for respondent No.5 in CWP-27576-2023 & for respondent NO.9 in CWP-27311-2023.

Mr. Harsh Chopra, Advocate for respondent No.4 in CWP-10808-2024.

Mr. Jagdish Marwaha, Advocate with Dr. Kanwal Marwaha, Advocate for respondent-PRTC in CWPs-2112,1944,2104,8502,1423 & 1310 of 2024.

Ms. Deepika Bagri, Advocate for Mr. Anupam Singla, Advocate for respondent No.4 in CWP-22880-2024.

Mr. Yadwinder Singh, Advocate for respondent No.5 in CWP-2510-2024.

Mr. Aman Sharma, Advocate for respondent-PRTC in CWP-3674,9832 & 5943 of 2024.

Mr. H.S. Jalal, Advocate for respondent No.6 in CWP-28546-2023.

Mr. T.P.S. Chawla, Senior DAG, Punjab with Mr. Malkit Singh, DAG, Punjab.

\* \* \*

**Harsimran Singh Sethi, J. (Oral)**

1. In the present bunch of petitions, the challenge is to the order passed by the State Transport Appellate Tribunal, Punjab dated 15.09.2023



### **CWP-24021-2023 & connected cases -10-**

(Annexure P/10) appended with the CWP-24021-2023 and to the similar orders passed by the State Transport Appellate Tribunal, Punjab in the cases of other petitioners. Though, the decision taken by the State Transport Appellate Tribunal, Punjab impugned in these bunch of petitions is on similar issue qua the candidates who are not found meritorious enough to be granted the permits and the evaluation by the authorities to deny them the permit sought has been upheld but, even qua some of the candidates, who are found eligible and were granted permits such as, Lakhwinder Singh, Amarjit Kaur and Heavan Preet have been set aside on the ground that the advertisement was only for the grant of five stage permits ( 02 for the State Undertaking and 03 for the private operators), which were wrongly increased to a total of 08 stage permits i.e. 3 for the State Undertaking and 05 for private operators by the competent authority-respondent No.4.

2. The decision of the Appellate Tribunal is being impugned by all the concerned on various grounds such as; that while passing impugned order, the decision taken by the respondent-State to increase the grant of stage permits from 5 to 8 was never challenged but still adjudicated by the Tribunal. Further, the challenge to the grant of permit in favour of certain candidates was considered without even noticing whether the said challenge was as per rule 85 of Punjab Motor Vehicles Rules, 1989 within the limitation or not and whether the *inter se* assessment of the candidates, who are granted permit, while passing the impugned award between Lakhwinder Singh, Amarjit Kaur & Heavan Preet and the other candidates namely, Tarsem Chand and Vijay Singh was on a proper consideration or not.



**CWP-24021-2023 & connected cases -11-**

3. Learned counsel for the petitioner(s) further submits that all the appeals which were filed against the grant of permit or non-grant of the same, should have been decided together whereas, certain appeals which were filed by the non-selected candidates are still pending before the State Appellate Tribunal and in case, the same are now decided and in case accepted, will render the impugned award passed by the State Transport Appellate Tribunal as infructuous.

4. Learned counsel for the parties agree that the impugned order passed by the State Transport Appellate Tribunal, Punjab as impugned in these bunch of petitions be set aside and the case be remanded back to the State Transport Appellate Tribunal, Punjab for fresh adjudication after considering all the arguments which are being raised by the respective candidates to support their respective claims, who have not been selected for the grant of permit as well as the plea being taken by the selected candidates, who have been granted permit qua the maintainability of such appeals by the non-selected candidates before the Tribunal.

5. Keeping in view the fact that the selected candidates and even the non-selected candidates are aggrieved by the same order of the Appellate Tribunal as all their pleas have not been decided by the Appellate Tribunal while passing the impugned order, as agreed between the contesting parties, the impugned order passed by the State Transport Appellate Tribunal, Punjab challenged in these writ petitions, are set aside and the cases are remanded back to the State Transport Appellate Tribunal, Punjab for fresh adjudication for deciding the lis between the parties keeping in view the issue raised by the respective parties for the

**CWP-24021-2023 & connected cases -12-**

consideration of the State Transport Appellate Tribunal, Punjab.

7. It may be noticed that once, the orders impugned in these bunch of petitions are set aside, the candidates who have already been granted the permit or are continuing under the interim order of this Court, will continue to operate till the further order is passed by the State Transport Appellate Tribunal, Punjab.

8. All the writ petitions are disposed of in above terms.

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

10. A photocopy of this order be placed on the file of connected cases.

**February 24, 2025**  
*aarti*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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