

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S).18259-18260/2008
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 06/07/2007
IN CWP NO. 1185/2004 AND CWP NO. 81/2007 PASSED BY THE HIGH COURT
OF H.P AT SHIMLA)

STATE OF H.P.& ORS.

Petitioner(s)

VERSUS

BALBIR SINGH & ORS.

Respondent(s)

(WITH INTERIM RELIEF AND OFFICE REPORT)
(FOR FINAL DISPOSAL)

Date : 29/08/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s)

Mr. Suryanaryana Singh, AAG
Ms. Pragati Neekhra, Adv.

For Respondent(s)

Mr. Vinay Kuthiala, Sr. Adv.
Mr. B. K. Satija, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel appearing for the State of Himachal Pradesh submits that the order of the High Court has, in fact, been substantially complied with and Authorized Testing Stations have been set up though the number of such Testing Stations is still below what was required in terms of the order of the High Court. Learned counsel has further submitted that requisite number of Testing Stations would be set up in due course.

Mr. Vinay Kuthiala, learned Senior Counsel appearing for the respondents - Private Operators has submitted that though the Testing Stations have been set up, the same are in the establishment of the Himachal Road Transport Corporation (HRTC) which is a direct competitor of the Private Operators. Learned counsel submits that the above arrangement is severely affecting the business of the Private Operators and also is contrary to the spirit of the High Court's order. Learned counsel further submits that, if so required, he will take out appropriate action for non-compliance/due implementation of the directions of the High Court.

In the above view of the matter, as according to the learned counsel for the petitioner - State itself the order of the High Court has been complied with, leaving aside the grievances expressed by the learned counsel appearing on behalf of the Private Operators, which can be agitated before the appropriate forum, we find no justification for keeping this Special Leave Petition pending any longer.

We, accordingly, dispose of the same in terms of the above.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER