

ITEM NO.62

COURT NO.3

SECTION XVIA

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 SPetition(s) for Special Leave to Appeal (Civil)...../2013
CC 15446-15447/2013(From the judgement and order dated 24/07/2012 in OMP No.458/2003,
dated 17/10/2012 in RP No.25/2012, of The HIGH COURT OF
JAMMU&KASHMIR AT SRINAGAR)

TATA SUMO TEMPO TRAV.OPERATOR UNION &ORS Petitioner(s)

VERSUS

COMMISSIONER TRANS.DEPTT.SRINAGAR & ORS. Respondent(s)

(With appln(s) for permission to file SLP and office report)

Date: 30/08/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE MADAN B. LOKURFor Petitioner(s) Mr. Harish N. Salve, Sr. Adv.
Mr. Bashir Ahmad Bashir, Sr. Adv.
Mr. Ajay Kumar, Adv.
Mr. Aman Varma, Adv.

For Respondent(s)

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

We have heard Mr. Harish N. Salve and Mr.
Bashir Ahmad Bashir, learned senior counsel for the
petitioners for quite some time.

2. Permission to file Special Leave Petition is granted.

3. Delay condoned.

4. Having heard the matter, we are of the view that the petitioners must shift their operations to Pantha Chowk as early as possible and in no case later than two months from today.

5. In paragraph 12 of the impugned order, the High Court has taken note of the traffic congestion in Pantha Chowk area. In the course of hearing before the High Court, a suggestion was given that if 150 buses belonging to the Delhi Public School were re-routed or their timings were adjusted, that would help in avoid traffic congestion. A direction was, accordingly, given to the IGP (Traffic) to consider the suggestion and make efforts to either re-route the buses or change their timings. The High Court also observed that the authorities may consider the suggestion of one way traffic in order to decongest the traffic in the

bottleneck areas.

6. We expect the IGP (Traffic) to consider the suggestion noted in paragraph 12 of the impugned order and the observations of the High Court and take appropriate remedial action to ensure that Pantha Chowk area does not have much traffic congestion. The action will be taken by the IGP (Traffic) expeditiously and preferably within two months from today.

7. Before we close, we may notice one grievance of the petitioners. Although the petitioners have been asked to shift from Tourist Reception Center (TRC) to Pantha Chowk for security reasons, a tourist taxi stand having fleet of 225 taxis is allowed to operate from that very place. According to use, this aspect needs to be considered appropriately by the High Court in the pending PIL No. 458 of 2003. We observe accordingly.

(Pardeep Kumar)
Court Master

(Renu Diwan)
Court Master