

**(2025) 12 J&K CK 0070**  
**Jammu And Kashmir HC**  
**Case No:** WP(C) No.2550 Of 2022

Taxi Operators Union, Taxi Stand

APPELLANT

Vs

UT of J&K

RESPONDENT

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**Date of Decision:** Dec. 4, 2025

**Acts Referred:**

- Constitution of India, 1950- Article 226

**Hon'ble Judges:** Moksha Khajuria Kazmi, J

**Bench:** Single Bench

**Advocate:** Nigam Mehta, Monika Kohli, Eishan Dadhichi, Anuj Dewan Raina

**Final Decision:** Dismissed

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**Judgement**

Moksha Khajuria Kazmi, J

1. By way of this writ petition, the petitioners herein have called in question Notification No.01-TC of 2022 dated 03.08.2022 issued by respondent No.2, whereby site has been identified for creation of taxi stand (All India Taxi, Sumo, Tempo Stand, Jammu) on the left side of exit gate of Railway Station, Jammu after culvert for a period of one year, being unconstitutional, illegal and discriminatory.

**FACTUAL MATRIX**

2. Petitioner No.1 is a Taxi Operators Union, Railway Station, Jammu and is registered under the Trade Union Act, 1926 since July, 1992 and petitioner Nos. 2 and 3 are the officer bearers. A writ petition being OWP No.1280/2004, came to be filed before this Court as pro bono public by All

India Taxi Sumo, Tempo Union through its president seeking a direction upon the respondents to strictly adhere to and implement the provisions of Motor Vehicles Act, 1988 and Rules framed thereunder and also to remove the illegal parking stands being operated by the unauthorized persons. The writ petition (supra) was disposed of by the Division Bench of this Court vide its judgment dated 10.07.2017, thereby issuing certain directions to the respondents.

3. Vide Notification NO.11-MVD/P of 2012 dated 06.03.2012, on the recommendations of the Committee constituted for the purpose, following four sites were notified for creation of taxi stands:

- i. Near Sulabh Toilet Complex Adjoining to the Dental College
- ii. Between Existing Matador Stand and PHE Office at B.C.Road.
- iii. Opposite Divine Lodge, Railway Station near Fruit Market (One left bank of the Canal).
- iv. Opposite St. Peter School (Adjoining its boundary wall)

4. The petitioners filed a representation dated 13th March, 2012 against parking slot No.(iii) i.e. Opposite Divine Lodge, Railway Station, Near Fruit Market (one the left side of bank of canal), thereby requesting the High Powered Committee to re-visit decision. In terms of Notification No.24-MVD/P of 2012 dated 21.04.2012, the parking site opposite Divine Lodge, Railway Station near Fruit Market ( Left bank of the Canal) was de-notified and instead parking site near Jewel Cinema in front of Transport Yard of Jammu Municipal Corporation was notified. It appears that on, failure of the authorities to hand over all the identified taxi stands to the J&K All India Taxi, Sumo, Tempo Union, a contempt petition bearing No.CCP(D) No.22/2022 came to be filed. In order to escape from the contempt proceedings, the official respondents vide impugned notification dated 03.08.2022, notified the site "on the left side of exist gate of Railway Station after culvert" as All India Taxi

Sumo Tempo Stand.

5. Aggrieved by the impugned notification, the petitioners are stated to have approached respondent No.4, but inaction on the representation of the official respondents, constrained the petitioners to file the present petition seeking quashment of the impugned notification on several grounds.

6. Per contra, objections stand filed by the respondents. The official respondents have denied infringement of any fundamental, legal or statutory right of the petitioners, which is sine qua non for maintaining a writ petition under Article 226 of the Constitution of India. It is stated that even the taxi stand in question is not operational at present, as the same was notified only for one year

no extension was granted.

7. Respondent No.12, besides challenging the locus of the petitioners to maintain the writ petition against the impugned notification, states that the petitioners have been allotted parking by the Railway authorities inside the railway station and second near Vaishno Dham by the Jammu Development Authority on tender basis, whereas the answering respondent is a taxi sumo union, which have been allotted taxi sumo stands by the competent authority for the regulation of the movement of taxi sumo in compliance to the orders passed in OWP No.1280/2004. It is further stated that the petitioners had also sought impleadment as party respondent in OWP No.1280/2004, however, vide order dated 24.12.2012, petitioners were directed to raise their dispute before the Transport Commissioner.

8. Learned counsel for the petitioners would argue that notification of All India Taxi, Sumo, Tempo Stand, Jammu on the left side of exit gate of Railway Station after culvert has created operational problems between the two unions. He submits that while issuing impugned notification, the fact, that the site in question has been categorically rejected to be proposed as taxi stand, has not been taken into consideration.

9. On the other hand, learned counsel for the respondents would argue that the petitioners have no locus standi to maintain the present petition as the traffic management system falls within the domain of the official respondents.

10. Heard learned counsel for the parties and perused the material available on record.

11. The petitioners have been allotted parking by the railway authorities inside the railway station and second near Vaishno Dham by the Jammu Development Authority on tender basis. The site in question notified to be the taxi stand, by the official respondents by issuing Notification No.01-TC of 2022 dated 03.08.2022, is outside the railway station and has nothing to do with the taxi stand inside the railway station or with the stand allotted to the petitioners by the JDA, on tender basis.

12. The petitioners do not dispute that their present place of operation lies entirely within the Railway Station premises and that they function under the administrative domain of the Railway authorities. The impugned identification of a taxi stand pertains exclusively to an area located outside the Railway Station, which falls within the jurisdiction of the local traffic and municipal authorities responsible for regulating traffic, ensuring decongestion, and organizing public transportation facilities in the city.

13. The petitioners have not shown any legal right, entitlement, or vested interest in the location of taxi stands beyond the Railway premises. Their authorization, if any, does not extend outside the Railway Station limits, nor does it confer upon them any right to challenge the State's decision in matters of traffic management. It is well settled that a person must establish a legal right and a corresponding prejudice to his rights to invoke the writ jurisdiction of this Court. Mere commercial inconvenience or apprehended loss of customers does not give locus standi.

14. The power to identify, regulate, shift, or notify taxi stands within the jurisdiction of Jammu city, rests with the competent State authorities in exercise of their statutory functions relating to road safety and traffic regulation. Such decisions are taken in public interest and for proper management of vehicular movement. No material has been placed before this Court to show that the impugned action is arbitrary, mala fide, or in violation of any statutory provision. Moreover, perusal of the impugned notification indicates that a team of officers after threadbare deliberations unanimously recommended that they have no objection, if the site at Left side of exist gate of Railway Station after culvert is notified as All India Taxi, Sumo, Tempo Stand, Jammu.

15. The Supreme Court in the case of Vinoy Kumar v. State of U.P. and others, (2001) 4 SCC 734, has observed as under:-

*“Generally speaking, a person shall have no locus standi to file a writ petition if he is not personally affected by the impugned order or his fundamental rights have neither been directly or substantially invaded nor is there any imminent danger of such rights being invaded or his acquired interests have been violated ignoring the applicable rules. The relief under Article 226 of the Constitution is based on the existence of a right in favour of the person invoking the jurisdiction. The exception to the general rule is only in cases where the writ applied for is a writ of habeas corpus or quo warranto or filed in public interest.”*

16. The Supreme Court in the case of Ravi Yashwant Bhoir v. District Collector, Raigad and others, (2012) 4 SCC 407 has observed that a fanciful or sentimental grievance may not be sufficient to confer a locus standi to sue upon the individual.

17. In these circumstances, this Court is of the view that the petitioners, being operators functioning inside the Railway Station, have no locus to challenge the identification of a taxi stand situated outside the Station limits. The challenge to the impugned notification is misconceived.

18. Accordingly, the writ petition is dismissed along with connected application(s).

