



2026:CGHC:27067

AFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 6042 of 2024

Reserved on 28.4.2026

Delivered on 02.07.2026

Vinod Singh Thakur S/o Shri Rajendra Singh Thakur Aged About 35 Years By Occupation - Bus Operator, R/o Radha Krishna Ward No. 20, Kawardha, District Kabirdham Chhattisgarh.

--- **Petitioner(s)**



versus

1 - The State Of Chhattisgarh Through Secretary, Transport Department, Government Of Chhattisgarh, Mantralaya, Raipur Chhattisgarh.

2 - Regional Transport Authority Of Chhattisgarh Atal Nagar, Nava Raipur Chhattisgarh.

3 - New Jeevan Bus Service Through its Proprietor Akash Deep Singh, R/o New Bus Stand Pandri, Raipur Chhattisgarh.

--- **Respondent(s)**

WPC No. 6154 of 2024

Vinod Singh Thakur S/o Shri Rajendra Singh Thakur, Aged About 35 Years, By Occupation Bus Operator, R/o Radha Krishna Ward No. 20, Kawardha, District Kabirdham Chhattisgarh.

---**Petitioner(s)**

Versus

1 - The State Of Chhattisgarh Through Secretary, Transport Department, Government Of Chhattisgarh, Mantralaya, Raipur Chhattisgarh.

2 - Regional Transport Authority Of Chhattisgarh Atal Nagar, Nava Raipur Chhattisgarh.

3 - New Jeevan Bus Service Through its Proprietor Akash Deep Singh, R/o New Bus Stand Pandri, Raipur Chhattisgarh.

--- **Respondent(s)**

WPC No. 6036 of 2024

Vinod Singh Thakur S/o Shri Rajendra Singh Thakur, Aged About 35 Years, By Occupation-Bus Operator, R/o - Radha Krishna Ward No. 20, Kawardha, District - Kabirdham, Chhattisgarh.

---**Petitioner(s)**

Versus

1 - The State Of Chhattisgarh, Through Secretary, Transport Department, Government of Chhattisgarh, Mantralaya, Raipur (CG)

2 - Regional Transport Authority of Chhattisgarh, Atal Nagar, Nava Raipur, Chhattisgarh.

3 - Rajesh Dewangan S/o Shri Ramadhin Dewangan By Occupation- Bus Operator, R/o-Ward No. 13, Near Jain Temple, Simga, District - Baloda Bazar - Bhatapara, Chhattisgarh.

--- **Respondent(s)**

WPC No. 6049 of 2024

Vinod Singh Thakur S/o Shri Rajendra Singh Thakur, Aged About 35 Years By Occupation - Bus Operator, R/o Radha Krishna Ward No. 20, Kawardha, District - Kabirdham, Chhattisgarh.

---**Petitioner(s)**

Versus

1 - The State Of Chhattisgarh Through Secretary, Transport Department, Government Of Chhattisgarh, Mantralaya, Raipur, Chhattisgarh.

2 - Regional Transport Authority Of Chhattisgarh, Atal Nagar, Nava Raipur, Chhattisgarh.

3 - Rajesh Dewangan S/o Shri Ramadhin Dewangan By Occupation- Bus Operator, R/o Ward No. 13, Near Jain Temple, Simga, District - Baloda Bazar, Chhattisgarh.

--- **Respondent(s)**

(Cause Title downloaded from CIS Periphery)

For Petitioner(s) : Mr. Subodh Pandey, Advocate

For Respondent 1 : Mr, Soumitra Kesharwani, Panel Lawyer
& 2

For Respondent : Mr. Birjesh Kumar Dubey, Advocate through
No.3 VC

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad**C A V Order**

1. All these captioned petitions have been filed by the petitioner – a bus owner, who has applied for grant of stage carriage permit(s) by filing an application under Section 70 of the Motor Vehicles Act, 1988 (in short “the Act”).
2. The petitioner applied for stage carriage permits with different timetables for the route from Raipur to Kawardha via Simga and Bemetara. Though the number of buses varied, but the stage carriage permit was sought for a single unified route i.e. Raipur to Kawardha. As a result, four permits were granted to the petitioner vide order(s) dated 18.4.2023 passed by the RTA, Raipur. This order(s) was challenged by the respective private respondents (respondent No.3 in each of the petitions) by way of four separate revisions. The said revisions were allowed by the impugned order(s) dated 25.10.2024 on the sole, common ground that a stage carriage permit cannot be granted for three termini. Aggrieved by the said impugned order(s), the petitioner has preferred four separate Writ Petitions i.e WPC No.6042/2024, WPC No.6036/2024, WPC No.6049/2024 and WPC No.6154/2024. Since a common seminal question of law arises for determination in all of the Writ Petitions, they were clubbed together, heard analogously and are being disposed of by this common order.
3. For the sake of convenience, WPC No.6042/2024 is being treated as the lead case and the facts of the said petition are being

referred to for the purpose of adjudication. The decision rendered herein, shall, however, govern the connected Writ Petitions as well. In WPC No.6042/2024, the petitioner has prayed for the following reliefs:

- i. The Hon'ble Court may kindly be pleased to issue a writ of certiorari quashing/setting aside the impugned order dated 25/10/2024 (Annex.-P/6) passed by learned Tribunal.
 - ii. Any other reliefs which this Hon'ble Court deem fit in the circumstances of the case, may also be granted to the Petitioner together with the cost of this writ petition.
4. The petitioner seeks permit to operate three daily return trips (rounds) from Raipur to Kawardha via Simga and Bemetara. The petitioner contends that he owns three buses for operation on the aforesaid route bearing registration Nos.CG 09 JF 8201 and CG 09 JF 8199. Further, he keeps a vehicle (bus) in reserve for operations on the aforesaid route. The petitioner has sought a permit for an "Express Bus Service" and has submitted the proposed timings along with his application. It is the case of the petitioner that on the first day of the week (Monday), he will commence plying the bus from Raipur to Kawardha. On Tuesday, the departure would be from Kawardha to Raipur. Likewise, on Wednesday, the bus will depart from Raipur and on Thursday, it will depart from Kawardha to Raipur. Again, on Friday, the bus will depart from Raipur to Kawardha and on Saturday, it will depart

from Kawardha to Raipur. Since the buses operate only between Raipur and Kawardha and vice versa, there is no question of any third terminus route. After considering the application filed by the petitioner, objections were invited from other bus operators to ensure their interests would not be adversely affected. Accordingly, after considering the objections filed by the objectors, including respondent No.3 herein, the Regional Transport Authority (in short "the RTA"), Raipur granted permit to the petitioner to ply his buses in accordance with the schedule specified in the order dated 18.4.2023.

5. Aggrieved by the aforesaid order, respondent No.3 preferred a Revision before the Chhattisgarh State Transport Appellate Tribunal (STAT). The respondent contended that granting the permit to the petitioner for the Kawardha-Raipur route would illegally create a third terminus. Since the bus would remain stationed at Kawardha on Tuesday and Thursday nights, it operates as a third terminus, which is impermissible under a stage carriage permit. Hence, the respondent contended that the concerned RTA committed illegality in granting the said permit. Ultimately, the STAT allowed the Revision Petition vide its order dated 25.10.2024, holding that the timetable provided in the permit did not operate simply from one terminal to another. Instead, due to the night halting of the bus for 2-3 days i.e. Tuesdays and Thursdays, it effectively created a third terminus. As such, the STAT ruled that the stage carriage permit could not be granted, as it violates the provisions of the Act and Motor

Vehicle Rules. Being aggrieved by the said order dated 25.10.2024, the petitioner has filed the present petition(s).

6. Mr. Subhodh Pandey, learned counsel for the petitioner submits that the finding recorded by the STAT holding that the bus remaining stationed at Kawardha for the entire night on Tuesdays and Thursdays creates a 'third terminus' is contrary to law. He submits that a 'third terminus' refers to the unauthorized creation of an additional stoppage for which no permit has been granted. In the present case, the subject vehicle operates as an express bus, originating from Raipur and terminating at Kawardha, without stopping at any intermediate stations/stops. He further submits that the finding recorded by the STAT regarding creation of a third terminus is totally incorrect and unsustainable. He submits that though the bus will remain stationed at Kawardha every two days i.e. on Tuesdays and Thursdays, but this cannot be termed as creation of a third terminus, as the vehicle does not proceed to any other destination from Kawardha and is plied only on the same route from which it arrived. He lastly submits that the finding recorded by the STAT is not in accordance with law and is liable to be set-aside.
7. Conversely, Mr. Brijesh Kumar Dubey, learned counsel for respondent No.3, would submit that the bus remaining stationed overnight at Kawardha amounts to creation of a third terminus, as the vehicle does not perform a return journey to Raipur on the same day. Hence, a permit of this nature sanctions unauthorized operation of an additional (third) terminus, which is impermissible.

He further submits that the RTA did not consider this aspect, whereas, the STAT correctly appreciated it. He lastly submits that the impugned order has been rightly passed, which does not warrant any interference and the Petitions are liable to be dismissed.

8. Mr. Soumitra Kesharwani, learned Panel Lawyer for the State/Respondents 1 & 2 submits that being the statutory authority, the concerned authority has rightly passed the impugned order, which does not call for any interference.
9. I have heard learned counsel for the parties and also perused the documents annexed with the petition with utmost circumspection.
10. The core moot question upon which the adjudication of these writ petitions depends is whether the STAT was legally justified in allowing the Revision(s) and in setting aside the regular stage carriage permit granted by the RTA, Raipur, on the sole ground that an overnight halt at a permitted destination creates an impermissible 'third terminus' in violation of the Act and the Motor Vehicle Rules framed thereunder? Thus, the entire controversy restricts itself to the legal effect of an overnight halt at a terminus.
11. Admittedly, the petitioner applied for permits on the subject route and was accordingly granted four permits with specific timings. Under these permits, the petitioner's buses are to operate three times daily from Raipur to Kawardha and vice versa. Further, it is undisputed that the concerned RTA invited objections from other bus operators plying on the said route, which resulted in

objections from as many as six objectors. All such objections relate to clash of timings sought by the petitioner and those of the existing operators. The concerned RTA, after duly considering these objections, granted the permits in favour of the petitioner. However, these grants were subsequently set-aside after certain objectors (respondent No.3 herein in each of the petitions) preferred separate revisions before the STAT.

12. In this backdrop, in order to appreciate the arguments advanced by the respective counsel on this pivotal issue, it would be apt to consider Section 2(38) of the Act, which defines a 'route' and forms the basis for determining what falls within the ambit of 'terminus'. The said Section reads as under :

2(38) "route" means a line of travel which specifies the highway which may be traversed by a motor vehicle between one terminus and another;

13. Further, Section 70 of the Act reads as under :

70. Application for stage carriage permit.—(1) An application for a permit in respect of a stage carriage (in this Chapter referred to as a stage carriage permit) or as a reserve stage carriage shall, as far as may be, contain the following particulars, namely:—

- (a) the route or routes or the area or areas to which the application relates;
- (b) the type and seating capacity of each such vehicle;
- (c) the minimum and maximum number of daily trips proposed to be provided and the time-table of the normal trips.

Explanation.—For the purposes of this section, section 72, section 80 and section 102, “trip” means a single journey from one point to another, and every return journey shall be deemed to be a separate trip;

(d) the number of vehicles intended to be kept in reserve to maintain the service and to provide for special occasions;

(e) the arrangements intended to be made for the housing, maintenance and repair of the vehicles, for the comfort and convenience of passengers and for the storage and safe custody of luggage;

(f) such other matters as may be prescribed.

(2) An application referred to in sub-section (1) shall be accompanied by such documents as may be prescribed.

14. Similarly, Section 72 of the Act is also relevant, which reads as under :

72. Grant of stage carriage permits.— (1) Subject to the provisions of section 71, a Regional Transport Authority may, on an application made to it under section 70, grant a stage carriage permit in accordance with the application or with such modifications as it deems fit or refuse to grant such a permit:

Provided that no such permit shall be granted in respect of any route or area not specified in the application.

(2) The Regional Transport Authority, if it decides to grant a stage carriage permit, may grant the permit for a stage carriage of a specified description and may, subject to any rules that may be made under this Act, attach to the permit any one or more of the following conditions, namely:—

(i) that the vehicles shall be used only in a specified area, or on a specified route or routes;

(ii) that the operation of the stage carriage shall be commenced with effect from a specified date;

(iii) the minimum and maximum number of daily trips to be provided in relation to any route or area generally or on specified days and occasions;

(iv) that copies of the time-table of the stage carriage approved by the Regional Transport Authority shall be exhibited on the vehicles and at specified stands and halts on the route or within the area;

(v) that the stage carriage shall be operated within such margins of deviation from the approved time-table as the Regional Transport Authority may from time to time specify;

(vi) that within municipal limits and such other areas and places as may be prescribed, passengers or goods shall not be taken up or set down except at specified points;

(vii) the maximum number of passengers and the maximum weight of luggage that may be carried on the stage carriage, either generally or on specified occasions or at specified times and seasons;

(viii) the weight and nature of passengers' luggage that shall be carried free of charge, the total weight of luggage that may be carried in relation to each passenger, and the arrangements that shall be made for the carriage of luggage without causing inconvenience to passengers;

(ix) the rate of charge that may be levied for passengers' luggage in excess of the free allowance;

(x) that vehicles of a specified type fitted with body conforming to approved specifications shall be used:

Provided that the attachment of this condition to a permit shall not prevent the continued use, for a period of two years from the date of publication of the approved specifications, of any vehicle operating on that date;

(xi) that specified standards of comfort and cleanliness shall be maintained in the vehicles;

(xii) the conditions subject to which goods may be carried in the stage carriage in addition to or to the exclusion of passengers;

(xiii) that fares shall be charged in accordance with the approved fare table;

(xiv) that a copy of, or extract from, the fare table approved by the Regional Transport Authority and

particulars of any special fares or rates of fares so approved for particular occasions shall be exhibited on the stage carriage and at specified stands and halts;

(xv)that tickets bearing specified particulars shall be issued to passengers and shall show the fares actually charged and that records of tickets issued shall be kept in a specified manner;

(xvi)that mails shall be carried on the vehicle subject to such conditions (including conditions as to the time in which mails are to be carried and the charges which may be levied) as may be specified;

(xvii)the vehicles to be kept as reserve by the holder of the permit to maintain the operation and to provide for special occasions;

(xviii)the conditions subject to which the vehicle may be used as a contract carriage;

(xix)that specified arrangements shall be made for the housing, maintenance and repair of vehicle;

(xx)that any specified bus station or shelter maintained by Government or a local authority shall be used and that any specified rent or fee shall be paid for such use

; (xxi)that the conditions of the permit shall not be departed from, save with the approval of the Regional Transport Authority;

(xxii)that the Regional Transport Authority may, after giving notice of not less than one month,

(a)vary the conditions of the permit;

(b)attach to the permit further conditions:

Provided that the conditions specified in pursuance of clause (i) shall not be varied so as to alter the distance covered by the original route by more than 24 kilometres, and any variation within such limits shall be made only after the Regional Transport Authority is satisfied that such variation will serve the convenience of the public and that it is not expedient to grant a separate permit in respect of the original route as so varied or any part thereof;

(xxiii)that the holder of a permit shall furnish to the Regional Transport Authority such periodical returns, statistics and other information as the State Government may from time to time prescribe;

(xxiv)any other conditions which may be prescribed

[Provided that the Regional Transport Authority may waive any such condition for a stage carriage permit operating in a rural area, as it deems fit.

15. Evidently, the petitioner has been granted a permit for buses bearing registration Nos. Nos. CG09 JF 8201 and CG 09 JF 8199, having a total capacity of 35 seats (excluding two additional seats). The permit was granted to ply the bus as an express service from Raipur to Kawardha and vice versa via Simga, Bemetara, for three single trips daily, under Sections 72 and 84 of the Act read with Rules 77(1), (2) and (4), Rules 70A and 70B(4) and Rule 30A of the Motor Vehicle Rules. While granting the permit, a specific time slot was also assigned.
16. From a perusal of the record, it appears that the petitioner had applied for the same route for two different timings to operate an express service, which the RTA subsequently allowed while assigning specific operational timings to each permit. Further, the permit was granted for the period from 1/5/2023 to 30/4/2028. Before granting the permit, adequate opportunity of hearing was afforded to all concerned, including respondent No.3. Being aggrieved by the order dated 18.4.2023, granting stage carriage permit for three single trips of the express bus service, respective respondent No.3 preferred revision(s) before the STAT on different grounds. Although the Tribunal afforded an opportunity of hearing to the parties, it ultimately allowed the revision on the sole ground that the route in question consisted of three termini, holding that the permit could not be countenanced on this basis

alone. Accordingly, on this count, the stage carriage permit granted to the petitioner for the express service from Raipur to Kawardha was set aside.

17. A perusal of Section 2(38) of the Act, which has been reproduced in para 12, makes it abundantly clear that 'route' means a line of travel which specifies a highway to be traversed by a motor vehicle from one terminus to another. A route, therefore, has only two termini and this must be stated not only in the application for grant of permit but also in the permit granted in favour of the party.
18. While the Act defines 'route' as a line of travel between one terminus and another, it does not define the term 'highway'. The Oxford Dictionary defines 'highway' as a 'public road' or a 'main route by land, sea or air'. Accordingly in this context, 'highway' would mean a public route upon which a motor vehicle is plied. Therefore, on a plain reading of the definition, a 'route' is the line of travel between two specific termini, and the public road connecting those two termini constitutes the 'highway'.
19. Here, in compliance with this provision, the petitioner was granted a permit delineating only two termini. The Tribunal's impugned finding allowing the revision on the ground that the route involved three termini is erroneous and contrary to the settled provisions of law. There is absolutely nothing on record either in the application of the petitioner or in the permit subsequently issued, to show upon or even suggest the existence of three termini. In view

thereof, the finding of the STAT, predicated upon factual misapprehension of 'three termini', is perverse and unsustainable and liable to be set-aside.

20. In the matter of **Prem Naraian Ramlal Sharma Vs. State Transport Appellate Tribunal and others** reported in **1999(1) MPLJ 185**, the Madhya Pradesh High Court also considered this aspect, and observed the following in para 5 :

"5. The S.T.A.T. passed the order reversing the order passed by the R.T.A. on a single ground, as mentioned in para 8 of its judgment. It has been observed that in the present case the permission was not granted in accordance with the provisions of Section 2(38) of the M.V. Act. Hence the permit in which there were three termini , could not be granted. This is the sole ground on which the revision petition was allowed. In this connection, we have to go through the provisions of Section 2(38), which defines 'route'. It runs as follows:

“ “route” means a line of travel which specifies the highway which may be traversed by a motor vehicle between one terminus and another.”

A route has two termini, it must be stated not only in the application but also in the permit. If we peruse the application (Annexure P/1), we find that the petitioner has complied with this provision. In this way, the observation of the S.T.A.T., on the basis of which the revision was allowed, appears to be against the provision of law and wholly erroneous. The order passed on this basis must, therefore, be quashed."

21. In the matter of **State of West Bengal Vs. S.K. Nural Amin** reported in **(2010) 11 SCC 182**, the Hon'ble Supreme Court

further considered the aspect of two termini and observed the following in para 7 & 8 :

7. The Division Bench proceeded on the basis that when one of the termini is altered by the Authority, then the permit is not granted in respect of the route applied, and it would amount to granting a permit in respect of a route not specified in the application. On a careful consideration, we are of the view that the interpretation by the High Court is without basis.

8. What is prohibited by the proviso to sub-section (1) of Section 72 is granting of a permit in respect of any route or area not specified in the application. The said proviso does not prohibit curtailment in regard to portion of the route applied for, for any valid reason. In fact sub-section (1) specifically authorises the Authority to grant the stage carriage permit with such modifications as it deems fit. Curtailment of a route would be a modification as contemplated under sub-section (1). We may clarify this by an illustration where the application is made for grant of a permit in regard to a route *A* to *D* through points *B* and *C*. If the grant is made for the route *A* to *C* through *B*, excluding the last portion *C* to *D*, it will be a modification which is contemplated and provided for under sub-section (1) of Section 72 of the Act. On the other hand, if the grant is made in regard to route *E* to *F* or in regard to route *A* to *E*, the grant will be in regard to a route not specified in the application and consequently the permit will be violative of the proviso to sub-section (1) of Section 72 of the Act.

22. In the matter of **Dharmendra Singh Yadav Vs. The State of Madhya Pradesh and others (Writ Appeal No.2228 of 2024 decided on 22.4.2025**, a Division Bench of the Madhya Pradesh High Court considered the aspect of a route compromising two termini, while affirming the order passed by the Writ Court, and held as under :

6. It was the submission of learned counsel for the petitioner that as per provision of Section 68 (3) (ca) and Section 72 of the M.V.Act without making the application for route, authority can not grant permit. In the present case, authority granted permit from the diverted route (via Dabra bypass), which is away from the original applied/formulated route for around 9 kms. Therefore, such permit on without formulated route is not sustainable in the eyes of law

17. Perusal of the discussion made by the writ court as referred above is very exhaustive and conclusively decides the anxiety of both the parties. Once route has been formulated and respondent No.3 applied for said routes then with the modification as per different provisions of M.V.Act specially Section 72 and while taking note of the judgment of the Apex Court in the case of State of West Bangal and others Vs. S.K.Nurul Amin reported in AIR 2010 SC 2271, no violation of Section 72 of M.V.Act was found and rightly so because it can at best be modification but not deviation from the route. Authority has included all those stations, which were lying between Ashoknagar to Gwalior and return back. Stations which fall within the route from Ashoknagar to Gwalior were included.

23. Reverting to the facts of the case at hand, in light of the aforesaid principles laid down in the aforesaid judgments, it is quite vivid that the STAT allowed the revision solely on the ground that the subject route comprised three termini. This finding is factually unsustainable, as the record clearly establishes that the route from Raipur to Kawardha consists of only two termini.
24. In view of the aforesaid discussion, this Court is of the opinion that setting aside of the permit(s) on the ground of 'three termini' by the STAT is not in accordance with law. The finding of the Tribunal in the impugned order(s) to the effect that the route consists of 'three termini' is contrary to the facts as well as the provisions of the Act.
25. Resultantly, all the Writ Petitions are **Allowed**. The impugned orders dated 25.10.2024 are hereby quashed. Consequently, the stage carriage permits granted by the RTA, Raipur are held to be valid and restored, with all consequential benefits flowing therefrom.

Sd/-

(Amitendra Kishore Prasad)
Judge