

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2000 of 2014**

1. Anwar Ali S/o Sayyed Ahmad Ali Aged About 48 Years R/o C/18,
Sector-5, Devendra Nagar, Ps Mova, Dist Raipur, Cg

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Transport,
Mahanadi Bhawan, Mantralaya, New Raipur, Dist Raipur, Cg
2. Regional Transport Authority, Bastar Division, Jagdalpur, Dist Bastar,
Cg

---- Respondents

For Petitioner.	:	Shri Ajay Shrivastava, Advocate.
For Respondents.	:	Shri Manish Nigam, PL.

Hon'ble Shri Justice Pritinker Diwaker**Order On Board****28/08/2015**

1. Challenge in the present writ petition is to the order dated 14.08.2014 (Annexure P/1) passed by respondent No.2 rejecting the application as filed by the petitioner for grant of regular permit.
2. Counsel for the petitioner fairly submits that there exists alternative remedy for the petitioner to file an appeal before the Tribunal assailing the order impugned. He, however, submits that as the petitioner was pursuing this petition, his appeal may be held to be time barred and therefore, the appellate authority may be directed to decide the appeal to be preferred by the petitioner ignoring the point of limitation.
3. State counsel submits that if the petitioner files an appeal along with application for condonation of delay, it may be left to the discretion of the appellate authority to decide the application for condonation of delay in accordance with law.

4. The petitioner is permitted to withdraw this petition with the aforesaid liberty.
5. In the eventuality of filing an appeal by the petitioner within three weeks from today along with an application for condonation of delay, it is expected from the appellate authority to consider the said appeal and the application for condonation of delay in accordance with law.
6. It is made clear that nothing has been observed on merit aspects of the case and the competent authority would be at liberty to decide the matter expeditiously strictly in accordance with law.
7. The petition is accordingly dismissed as withdrawn with the aforesaid liberty.

Sd/-

(Pritinker Diwaker)
JUDGE