

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

WP(C).No. 27572 of 2015 (V)

PETITIONER :

**V. BHASKARAN,S/O.E.NARAYANAN NAIR,
KOLLOT HOUSE, BANDADKA.P.O.,
KASARAGOD.**

BY ADV. SRI.PRASAD CHANDRAN

RESPONDENT(S):

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KASARAGOD, PIN-671 121**
- 2. MOHAMMED KUNHI.C.A., S/O.C.A.ABOOBACKER,
CHUNDUVALAPPIL HOUSE, VIDYANAGAR.P.O.,
KASARAGOD, PIN-671 123**

R1 BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.27572/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE AGENDA OF THE MEETING OF REGIONAL TRANSPORT
AUTHORITY DATED 31/03/2015**
- P2 COPY OF THE DECISION IN THE MEETING OF REGIONAL TRANSPORT
AUTHORITY DATED 31/03/2015**
- P3 COPY OF THE NOTICE OF THE TIMING CONFERENCE DATED 24/8/2015**
- P4 COPY OF THE OBJECTION FILED BY THE PETITIONER DATED 08/09/2015**
- P5 COPY OF THE PARTICULARS OF THE STAGE CARRIAGE KL-14/D7497.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

V. CHITAMBARESH, J

W.P.(C). NO. 27572 OF 2015

Dated this the 15th day of September, 2015

JUDGMENT

The fact that the second respondent has withdrawn the application for variation of permit is no ground to scrap Ext. P3 proceedings for settlement of timings. This is because Ext. P3 settlement of timings is not rested solely on the ground of variation of permit.

2. The Government Pleader points out that the timings was altered last when the application for variation was originally allowed. But then variation granted was set aside by this Court and the matter remitted.

3. It is after the remit has the second respondent withdrawn the application for variation. But then the entire scenario has changed warranting the settlement of timings at the earliest.

4. It is clarified that the settlement as scheduled in Ext. P3 notice can go on and that Ext. P4 objection put in by the petitioner as regards the settlement of timings shall also be

considered. The fact that the permit issued to the second respondent has since expired shall also be taken note of by the first respondent.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS