

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 906 of 2016

Abdul Gani Memon, S/o Late Shri Abdul Gaffar Memon, Aged about 38 years,
R/o. - H.N B—861, Kaveri Vihar, NTPC Jamnipali, Tahsil – Katghora, Thana –
Katghora, Civil and Revenue District – Korba, Chhattisgarh.

---- Petitioner

Versus

1. Regional Transport Authority, Bilaspur (Chhattisgarh)
2. Secretary, Regional Transport Authority, Bilaspur (Chhattisgarh).

---- Respondents

Shri Anshul R. Shrivastava, counsel for the petitioner/s.
Shri Satish Gupta, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/04/2016

Learned counsel for the applicant submits that an application was preferred on 03/10/15 before respondent No.1 for renewal of regular stage carriage permit No.3619/B/2010 on the route Lemru to Korba. The application however remained pending and in the meantime, the permit also expired on 02/11/15. It is submitted that till date, the application of the petitioner has not been decided.

Learned State counsel submits that as the permit has already expired, the petitioner is not entitled to any relief.

The petitioner has stated on affidavit and has also filed application which bears seal of acknowledgment of receipt of his application on 03/10/2015.

Annexure P/1 shows that it was valid till 02/11/15. It would thus be seen that the application of the petitioner remained pending and term of the permit expired. It was an obligation of the respondent authority to decide petitioner's application one way or the other. If the permit has expired, the petitioner

cannot be faulted. Therefore, interest of justice demands that respondents should be directed to decide petitioner's application for renewal of permit within a period of 60 days which is the statutory period prescribed under the law. The period shall be reckoned from the date of receipt of copy of the order which is now being passed.

With the aforesaid observation, this petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Deepti