

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 653 of 2015**

1. Manish Travels, Proprietor, Manish Jain, S/o Bhagchand Jain, aged about 42 years, G.E. Road, Durg, District Durg, R/o Padmanabhpur, Tahsil and District Durg, Chhattisgarh.
2. Payal Travels, Through Partner, Piyush Deshlahara S/o Shri Prakash Deshlahara aged about 32 years, G.E. Road, Durg, District Durg, Chhattisgarh, R/o 1786, New Adarsh Nagar, Durg, Tahsil and District Durg, Chhattisgarh.

---- Appellants**Versus**

1. Regional Transport Authority, Bastar Division, Jagdalpur, District Bastar, Chhattisgarh.
2. Kanker Roadways, Through Narendrapal Singh Garcha, Partner, M/s. Kanker Roadways, Civil Lines, Raipur, District Raipur, Chhattisgarh.

---- Respondents

For Appellants	: Shri Ajay Shrivastava, Advocate.
For Respondent/State	: Shri A.S.Kachhwaha, Additional Advocate General.
For Respondent No. 2	: Shri Sudeep Johri, Advocate.

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Sanjay K. Agrawal, J.

Judgment on Board**Per Deepak Gupta, Chief Justice****19/07/2016**

1. This writ appeal is directed against the order dated 06.11.2015 passed by the learned Single Judge in WP(227) No. 821 of 2015.
2. This appeal is not maintainable in view of the proviso to Section 2(1) of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006. This Section clearly provides that when the Single Judge has exercised his powers under Article 227 of the Constitution, no appeal will lie to the Division Bench.

3. The Appellant themselves while filing the writ petition have mentioned that the said petition is only under Article 227 of the Constitution of India. The learned Single Judge invoking those powers rejected the writ petition mainly on the ground that the Petitioners have withheld material facts from the Court.

4. Since the learned Single Judge has invoked powers under Article 227 of the Constitution of India, the appeal itself is not maintainable and the same is accordingly dismissed.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE

Sd/-
(Sanjay K. Agrawal)
JUDGE