

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 1294 of 2016**

Prahlad Tiwari S/o Bhanu Pratap Tiwari, Aged About 51 Years R/o Kapil Nagar,  
Sarkanda Bilaspur Civil & Revenue Distt. Bilaspur (Chhattisgarh)

**---- Petitioner**

**Versus**

1. Regional Transport Authority, Bilaspur, Distt. Bilaspur (Chhattisgarh)
2. Secretary, Regional Transport Bilaspur, Distt. Bilaspur (Chhattisgarh)
3. Sub Divisional Officer, Public Works Department, Sub Division Lormi Distt. Bilaspur (Chhattisgarh)
4. Rainbow Travels Through Its Proprietor, Anurag Shukla, Aged About 51 Years, S/o Not Known, New Bus Stand Pandri Raipur (Chhattisgarh)

**---- Respondents**

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Shri Santosh Gupta, counsel for the petitioner/s.  
Shri Satish Gupta, Govt. Advocate for the State on advance copy.

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**13/05/2016**

Though number of grounds raised in this petition, assailing correctness and validity of order dated 30/03/2016 passed by the respondent no.1, faced with the objection with regard to the maintainability of the petition in view of alternative remedy before the appellate authority, learned counsel for the petitioner submits that respondent No.4 obtained permit by playing fraud. Therefore, the petitioner preferred application which has not been properly considered.

2. The grounds raised in this petition neither relate to absence of jurisdiction, malafide nor violation of principles of natural justice. Therefore, in view of the judgment of the Supreme Court in the case of **Whirlpool Corporation v. Registrar of Trade Marks, Mumbai, (1998) 8 SCC 1**, there is no extraordinary reason for this Court to entertain this petition when the petitioner has come before this Court without exhaustion of alternative remedy.

3. Accordingly, this petition is dismissed as not maintainable, however, with liberty to take recourse to the remedy of appeal.

Sd/-

**(Manindra Mohan Shrivastava)**  
**Judge**

Deepti