

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 60 of 2016

Sayyad Anwar Ali S/o Sayyad Ahmed Ali, Aged About 45
Years Royal Travels, Near Bus Stand Pandri, Raipur, District
Raipur Chhattisgarh

---- Petitioner

Versus

State Transport Authority, Raipur District Raipur Chhattisgarh

---- Respondent

For Petitioner	:	Mr. Ajay Shrivastava, Advocate.
For State	:	Mr. Satish Gupta, Government Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/03/2016

Heard.

1. The grievance of the petitioner is that before rejecting petitioner's application, opportunity of hearing as mandatory required under Section 80 of the Motor Vehicles Act, was not afforded. He submits that the identical issue has already been decided by this Court on 06.11.2015 in WP(227) 924 of 2015. Therefore, the petitioner has prayed for similar order may be passed in the case of the petitioner also.

2. Learned State counsel was granted time to verify whether the case of the petitioner is covered by the aforesaid order. Learned State counsel fairly submits that the case of the petitioner is also similar to the case earlier decided by this Court.

3. In view of the above, this petition is also allowed in terms of order dated 06.11.2015. The matter is remitted back to the State Transport Authority, Raipur (C.G.) for considering the application of

petitioner afresh after due compliance of the provisions as is required under Section 80 of the Motor Vehicles Act 1989.

4. It is made clear that this Court has not expressed any opinion on the merits of the case and the Authority concerned shall decide the application of the petitioner so far as entitlement of the petitioner in granting permit is concerned strictly in accordance with the Act and Rules applicable.

5. The petition is accordingly allowed.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E

Rekha