

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 792 of 2016

1. M/s Durga Motor Service Through Its Proprietor Smt. Shanti Devi, Wd/o Late Jeetan Prasad, Aged About 71 Years, R/o Old Bus Stand, Ambikapur, District Sarguja, (Chhattisgarh)

---- Petitioner

Versus

1. State Transport Authority Raipur, Pandri New Bus Stand, Raipur, District Raipur, (Chhattisgarh)
2. Rajendra Singh Chhabra, S/o Late Santosh Singh Chhabra, Aged About 60 Years R/o Ring Road, Namnakala, Ambikapur, District Sarguja, (Chhattisgarh)

---- Respondent

For Petitioner	Shri C.J.K. Rao, Advocate
For Respondent/State	Shri Shashank Thakur, Govt. Advocate
For Respondent No.2	Shri Shailendra Bajpai, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

02/12/2016

1. The issue pertains to validity of inter-state permit issued to the respondent No.2 for the route Ambikapur to Baidan. Its validity has been called in question on the ground that on the date of consideration, petitioner's application for grant of stage carriage permit was pending yet it was not considered.

2. Shri Shailendra Bajpai, learned counsel appearing for the respondent No.2, would submit that the permit issued in favour of the respondent No.2 has expired on 30-11-2016, therefore, the writ petition has been rendered infructuous. Shri Bajpai would rely on a decision of this Court rendered in **Smt. Sarabjeet Kaur Randhawa v. State Transport Appellate Tribunal & Others**¹.
3. Shri C.J.K. Rao, learned counsel appearing for the petitioner, would submit that if the permit has expired, vacancy has arisen for the concerned route, therefore, fresh applications should be considered by the authorities.
4. Shri Bajpai would submit that the respondent No.2 has applied for fresh inter-state permit as well as renewal application.
5. Let the concerned authority consider all applications whether pending or preferred afresh on the date of consideration, whenever such consideration is made afresh or the renewal of the respondent No.2's inter-state carriage permit is considered.
6. In view of the above, the writ petition is disposed of with the observations as stated *supra*.
7. There shall be no order as to costs. Sd/-

Gowri

Judge
Prashant Kumar Mishra

¹ WP No.389 of 2006 (decided on 24-1-2006)