

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 833 of 2017

- M/s Kanker Roadways Through Its Partner N. S. Garcha Civil Lines, Raipur - Chhattisgarh 492001

---- Petitioner

Versus

1. The Regional Transport Authority, Raipur Division, Raipur Chhattisgarh
2. The Regional Transport Authority, Bastar Division Jagdalpur, District Bastar Chhattisgarh
3. M/s Manish Travels Through Proprietor Manish Jain G. E. Road, Durg Chhattisgarh

---- Respondents

For Petitioner	:	Shri B.P. Rao, Advocate
For State	:	Shri D.R. Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava
Order On Board

04/04/2017

1. Heard.
2. This petition has been filed by the petitioner seeking a direction for cancellation of these Permanent Stage Carriage Permits No. 542/BTR/15, 618/BTR/16, 619/BTR/16, 630/BTR/16, 637/BTR/16, 639/BTR/16, 649/BTR/16, 655/BTR/16, 660/BTR/16, & 685/BTR/16 which according to the petitioner were wrongly granted to the respondent No. 3. The prayer has also been made for issuance of direction to Regional Transport Authority, Bastar to call fresh applications for grant of permit against the vacancy which would arise on account of cancellation of aforesaid permit.
3. Learned counsel for the petitioner submits that while seeking permit, the respondent No. 3 suppressed the material fact about the details of spare bus and that earlier also the RTA had cancelled some other permits granted to other parties on the route Raipur to Jagdalpur. When the petitioner came to know, he raised an objection on

28/02/2017 objecting to multiple permits to respondent No. 3, however, that objection has remained undecided and now notice has been issued on 14/03/2017 by Regional Transport Authority, Raipur inviting objection against those permits for which the petitioner has already raised an objection on 28/02/2017.

4. On petitioner's own showing the petitioner has already filed an objection and thereafter on 14/03/2017 notice has been issued by the Regional Transport Authority, Raipur inviting objections to grant of the permits in favour of the respondent No.3. This shows that the authority has not taken final decision in to the matter, the petitioner has already submitted his objection. There is no reason for this Court to presume that authority will not consider petitioner's representations, therefore, the petition at this stage is clearly premature. As and when the authority takes decision with the petitioner's finds against his interest, he may take appropriate remedy as may be available under the law. The petition is premature and dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge