

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1833 of 2016

1. Mahendra Madhukar Lule S/o Madhukar Ramchandra, Aged About 55 Years R/o Ashirwad Complex, Vaidnath Chowk, Great Naq Road, Nagar Maharastra

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Tranposrt Mantralaya, Mahanadi Bhawan Naya Raipur, District Raipur Chhattisgarh
2. State Transport Appellate Tribunal, Ghari Chowk Raipur, Chhattisgarh
3. State Transport Authority, Government Of Chhattisgarh Indravati Bhawan, Naya Raipur Chhattisgarh
4. The Secretary, State Transport Authority Mantralaya, Indravati Bhawan, Naya Raipur Chhattisgarh
5. Rais Ahmed, S/o Late Hazi Mohammed Raffique, Aged About 52 Years Bus Operator Purana Bus Stand City Kotwali, Rajnandgaon Chhattisgarh

---- Respondent

For Petitioner
For Respondent/State

Shri Shailendra Bajpai, Advocate
Shri Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

16/03/2017

1. Petitioner has been granted inter-state permit for the route Chandrapur-Rajnandgaon, however, the State of Chhattisgarh

is not putting counter signature on the permit on the ground that in the notification issued by the State of Chhattisgarh in respect of the subject inter-state route there is discrepancy in the specifications both destination-wise as well as distance-wise.

2. In some earlier writ petitions of similar nature one of them bearing WPC No.203 of 2015 (**Mahendra Madhukar Lule v. State of Chhattisgarh & Others**) decided on 23-1-2015 it was held that in view of the above discrepancy both destination-wise as well as distance-wise between the specifications of reciprocal agreement and State notification, it will be open for the two States to remove the discrepancy by taking recourse to discrepancy removal mechanism provided in clause I (j) of the reciprocal transport agreement. The similar discrepancy removal clause exists in the present reciprocal agreement also.
3. Shri Bajpai, learned counsel appearing for the petitioner, would place copy of the order dated 5-10-2016 passed by this Court in WPC No.1672 of 2016 and other connected matter wherein similar order has been passed directing the State of Chhattisgarh to remove the discrepancy in consultation with the State of Maharashtra. Copy of the said order is made part of the record of the writ petition.

4. The matter appears to be similar, therefore, the present writ petition is disposed of with a direction that the State of Chhattisgarh shall take appropriate steps in consultation with the State of Maharashtra, within a period of 6 (six) weeks from today, to remove the discrepancy.
5. In view of the above, the order impugned passed by the State Transport Appellate Tribunal (STAT), Chhattisgarh, stands quashed.
6. There shall be no order as to cost(s).

Sd/-

Judge

Prashant Kumar Mishra

Gowri