

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 670 of 2017

Naveen Transport Through Its Partner Jaskirath Singh Bal, S/o Harjindar Singh Bal, Aged About 23 Years, R/o Behind Old Water Works, Pachripara, Durg (Chhattisgarh)

---- Petitioner

Versus

1. Regional Transport Authority, Bilaspur District Bilaspur (Chhattisgarh)
2. Secretary, Regional Transport Authority, Bilaspur, District Bilaspur, (Chhattisgarh)
3. Sabbir Ali, R/o New Bus Stand, Pandri, Raipur, District Raipur, (Chhattisgarh)

---- Respondents

Shri CJK Rao, counsel for the petitioner/s.
Shri Dhiraj Wankhede, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/04/2017

Heard on admission.

Though learned counsel for the petitioner raises various grounds to challenge the legality and validity of impugned order dated 20/02/2017 passed by the Road Transport Authority by submitting that the order of cancellation is based on incorrect factual premise, learned State counsel raises serious objection to the maintainability of the petition by submitting that the petitioner has an alternative remedy of filing statutory revision before the State Appellate Tribunal which involves disputed questions of fact with regard to the aspect of notice and knowledge of the permission granted to the petitioner.

Considering the submissions and that none of the grounds relate to absence of jurisdiction, violation of principles of natural justice or malafide exercise of power, I am not inclined to entertain this petition when there is an

alternative remedy of filing revision. Therefore, this petition is dismissed with the liberty to the petitioner to file revision.

Certified copy of the impugned order may be returned to the counsel for the petitioner after retaining photo copy of the same.

The period during which the petition remained pending before this Court, may be claimed for the purpose of exclusion while computing period of limitation in the matter of filing revision before the Tribunal.

Sd/
(Manindra Mohan Shrivastava)
Judge