

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.24354 of 2013

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1. Amresh Shahi, S/o Late Ramaji Shahi Resident of Village Balathari, P.O. Balathari, P.S. Kuchaikot, District Gopalganj

2. Munni Devi W/o Anil Kumar Shahi Resident of Balathari Village, Bhopatapur, Anchal Kuchaikot, Panchayat Bhawan, P.O. Balathari, P.S. Kuchaikot, District Gopalganj

.... Petitioners

Versus

1. The State of Bihar

2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna

3. Ministry of Road Transport Corporation, Government of Bihar, Patna

4. The Principal Secretary, Department of Transport, Government of Bihar, Patna

5. Additional Transport Commissioner, Government of Bihar, Patna

6. The Regional Transport Officer, Saran

7. District Magistrate, Gopalganj

8. District Transport Officer, Gopalganj

9. Motor Vehicle Inspector, Bahthari Check Post, Gopalganj

10. Chairman, Nagar Parishad, Gopalganj

11. Rajendra Bus Stand through its Contractor, Nagar Parishad, Gopalganj

12. Commissioner, Chapra, Saran

.... Respondents

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Appearance :

For the Petitioners : Mr. Sarvendra Kumar Verma,
Mr. Radheshyam, Advocates

For the Respondents : Mr. Radhika Raman, GP 23

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 06-09-2018

The present writ petition has been filed for a direction to the respondents to forthwith stop the illegal operation of the buses without having valid legal permit from Rajapur to Gopalganj and from Thave to Kotunharwa; to forthwith allow the operation of buses of the petitioners who have got valid permits as per the scheduled time table without any hindrance and disturbance which are caused by the illegal



operation of the buses on this route.

2. Learned counsel for the petitioners submits that their business is being adversely affected by reason of illegal plying of the vehicles on the relevant routes without valid permits. Petitioner no. 1 is the owner of buses bearing registration nos. UP53BT7966 and BR28E1603 and the petitioner no. 2 is the owner of bus bearing registration no. BR28E4247 who have variously been granted permits for plying the buses on the routes from Thave to Kotunharwa and Rajapur to Gopalganj.

3. Learned counsel for the respondents invites reference to paragraph 5 of the counter affidavit in which it has been stated that based on complaint of the petitioners, special drive against illegal operation of buses/vehicles between Gopalganj and Gorakhpur has been started by constituting a special checking team for the purpose. Some vehicles were found plying illegally in respect of which a fine of Rs. 1,10,100/- has been imposed by the officers of the special checking team. It is further stated that the special drive is being continued by the officers of the checking team under the supervision of the District Transport Officer, Gopalganj.

4. Having regard to the nature of the grievance of the petitioners and the stand of the respondents in the counter affidavit which has not been controverted and no rejoinder thereto has been



filed on behalf of the petitioners, the writ petition stands disposed of with observation that the respondents are expected to continue their vigil against illegal plying of the vehicles adversely affecting the business of the petitioners.

5. I.A. No. 509 of 2015 filed on behalf of the intervenor in the nature of intervention petition stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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