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HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No.4941 of 2011

Kanker Roadways Through Partner Shri Narendrapal Singh Garcha, aged 54 years, R/o. Civil Lines, Raipur (CG)

---Petitioner

Versus

1. Vikash Jaiswal S/o. Shri Omprakash Jaiswal, R/o. LIG 42, Govind Bhawan Colony, South Civil Lines, Jabalpur (MP)
2. Assistant Secretary, State Transport Authority, Chhattisgarh, Raipur (CG)
3. State Transport Appellate Tribunal, Raipur (CG)

---Respondents

Writ Petition (C) No.5029 of 2011

Kanker Roadways Through Partner Shri Narendrapal Singh Garcha, aged 54 years, R/o. Civil Lines, Raipur (CG)

---Petitioner

Versus

1. Omprakash Jaiswal S/o Late B.L. Jaiswal R/o. LIG 42, Govind Bhawan Colony, Sai Baba Chowk, Jabalpur (MP)
2. Assistant Secretary, State Transport Authority, Chhattisgarh, Raipur (CG)
3. State Transport Appellate Tribunal, Raipur (CG)

---Respondents

Writ Petition (C) No.5028 of 2011

Kanker Roadways Through Partner Shri Narendrapal Singh Garcha, aged 54 years, R/o. Civil Lines, Raipur (CG)

---Petitioner

Versus

1. Arti Jaiswal W/o. Late B.L. Jaiswal R/o. Gulmohar Residency, North Civil Lines, Jabalpur (MP)
2. Assistant Secretary, State Transport Authority, Chhattisgarh, Raipur (CG)
3. State Transport Appellate Tribunal, Raipur (CG)

---Respondents

And

Writ Petition (C) No.5030 of 2011

Kanker Roadways Through Partner Shri Narendrapal Singh Garcha, aged 54 years, R/o. Civil Lines, Raipur (CG)

---Petitioner

Versus

1. Arti Jaiswal W/o. Late B.L. Jaiswal, R/o. Gulmohar Residency, North Civil Lines, Jabalpur (MP)
2. Assistant Secretary, State Transport Authority, Chhattisgarh, Raipur (CG)
3. State Transport Appellate Tribunal, Raipur (CG)

---Respondents

For Petitioner	:	Mr.Sudeep Johri, Advocate
For State	:	Mr.Gary Mukhopadhyay, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

26/06/2018

1. In these batch of writ petitions, temporary inter-state carriage permit was granted by the State Transport Authority, Jabalpur (MP), which was countersigned by the State Transport Authority, Raipur (CG), which was challenged by the petitioner before the State Transport Appellate Tribunal on the ground that both the States cannot grant temporary permit under Section 88 (6) of the Motor Vehicles Act, 1988, which has been repelled by learned State Transport Appellate Tribunal. Questioning that order, these writ petitions have been filed by the petitioner herein.

2. Learned Government Advocate for respondent No.2/State would submit that these writ petitions have become infructuous as period of inter-state carriage permit

(temporary permit) has already came to an end on 31st October, 2011.

3. Learned counsel for the petitioner would submit that legal question is involved in these batch of writ petitions that may be adjudicated.

4. Since period of temporary inter-state carriage permit has already came to an end, this Court is not deciding the said question. However, question is left upon to be decided at appropriate writ petition.

5. Accordingly, the writ petitions are dismissed. No cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-