NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPT. No. 55 of 2015

Purnendra Singh, Aged about 30 years, S/o Shri Raghvendra Singh, By Occupation Bus Operator, Resident of 12/194, Behind Irrigation Colony, Shahdol District Shahdol (M.P.)

---- Petitioner

Versus

1. The State of Chhattisgarh, Through the Principal Secretary, Government of Chhattisgarh, Transport Department, Mantralaya, Raipur (C.G.)
2. The Regional Transport Officer, Ambikapur (C.G.)
3. The Incharge Flying Squad, Ambikapur (C.G.)

---- Respondents

For Petitioner : Mr. Viod Kumar Sharma, Advocate.
For Respondents/State : Mr. Anand Dadariya, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

12/04/18

1. Learned counsel for the respondents/State would submit that the order of penalty has been passed against the petitioner under Section 13 of the Motoryan Karadhan Adhiniyam, 1991 (for short 'the Act of 1991') which is appealable under Section 20(a) of the Act of 1991. Therefore, the petitioner be relegated to file an appeal before the appellate authority.

2. At this stage, learned counsel for the petitioner would submit that he may be allowed to prefer an appeal before the appellate authority.

3. In view of the above, the instant writ petition is disposed of with a direction that if such an appeal is filed by the petitioner before the appellate

authority within a period of three weeks, the said authority without entering into question of limitation shall decide the appeal in accordance with law after hearing the parties, within a period of three months from the date of receipt of copy of this order. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Kvr