

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2869 of 2018

- Jasamuddin Solanki S/o Shri J. D. Solanki Aged About 35 Years
R/o New Bus Stand Rajnandgaon, Chhattisgarh., District :
Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department of
Transport, Mahanadi Bhawan, Mantralaya, Naya Raipur, District-
Raipur, Chhattisgarh
2. Regional Transport Authority, Durg, District- Durg, Chhattisgarh
3. Anand Roadways Proprietor Mohd. Anwar Solanki, R/o Purana
Ganj Chowk, Dhamtari, District- Dhamtari, Chhattisgarh

---- Respondents

For Petitioner

Shri Shivesh Singh, Advocate

For Respondent-State

Shri Avinash Singh, PL

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

22/10/2018

1. Petitioner would call in question the order passed by the RTA,
Durg allowing stage carriage permit to the respondent No.3 on
the same timing, on which the petitioner already runs stage
carriage permit on the route Rajnandgaon to Dhamtari via Devri,
Lohara, Balod, Gurur and return one trip.
2. Learned counsel would refer to the law laid down by the Madhya
Pradesh High Court in the matter of **Padam Chand Gupta vs
State Transport Appellate Authority**, reported in **(2014) 2 J LJ
162.**

3. The petitioner has alternative remedy of preferring a revision before the State Transport Appellate Authority, therefore, the petitioner should first avail the alternative remedy. Let the petitioner avail the remedy within 2 weeks from today. If revision application is preferred within 2 weeks, the permit issued in favour of respondent No.3 for the subject route shall remain stayed for a period of 4 weeks from the date of submission of revision application. The STAT shall decide the revision application within a period of 8 weeks from the date of submission.
4. It is made clear, the interim order allowed herein shall cease to operate immediately after 4 weeks and shall remain subject to any interim order passed by the STAT on petitioner's prayer, if any such application is moved.
5. The writ petition stands disposed of with the above observation.

Sd/-
Prashant Kumar Mishra
Judge

Nirala