

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 119

LPA No. 462 of 2018 (O&M)
in CWP No. 22620 of 2015
Date of decision : 24.05.2018

Gurjant Singh

..... Appellant

VERSUS

The Presiding Officer,
State Transport Appellate Tribunal,
Punjab, Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
 HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Raj Kaushik, Advocate, for the appellant.

RAJESH BINDAL, J:

Order dated 27.11.2017, passed by the learned Single Judge, dismissing the appellant's writ petition, has been impugned by filing the present intra-court appeal.

In the present case, permit was issued in the name of Madan Lal for vehicle No. PB-11K-6285 (Model 1998). He sought to transfer the same by executing a power of attorney on 02.06.2009 in favour of one Maya Ram, who in turn, had given affidavit that he has no objection in case the permit is transferred in the name of the appellant. A perusal of power of attorney dated 02.06.2009 shows that it was issued for the aforesaid vehicle which is of 1998 model. Admittedly, the life of a commercial vehicle is ten years. Meaning thereby, that life of the bus for which the permit was issued had already expired before the power of attorney was executed by Madan Lal. No provision in the Motor Vehicles Act, 1988 (for short, the 'Act') has been cited to show that any permission had been sought from the transport authority before executing the power of attorney dated 02.06.2009, though Section 82 of the Act provides for that. There is no such permission on

In view of the above, there is no error in the order passed by the learned Single Judge. The appeal is, accordingly, dismissed.

[RAJESH BINDAL]
JUDGE

24.05.2018
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[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No