

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1168 of 2019

Amresh Prasad S/o Late Radheshyam Sahu Aged About 45 Years R/o Village And Post Singhibahar, Police Station- Tapkara, District Jashpur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Transport Mantralaya, Atal Nagar, New Raipur, Chhattisgarh.
2. The Regional Transport Authority Surguja (Ambikapur), District Surguja, Chhattisgarh.

---- Respondents

For Petitioner	:	Ms. Rashul Bhawnani, Advocate
For Respondent/State	:	Shri Sumit Singh, P. L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board By

03/04/2019

1. Heard on admission.
2. By way of this petition, the Petitioner is praying for issuance of direction commanding Respondent No. 2/Regional Transport Authority, Surguja to consider and decide the petitioner's application for grant of route permit.
3. Ms. Rashul Bhawnani, learned counsel for the Petitioner submits that the application has been made by the petitioner on 27.04.2018 for grant of route permit from Matipahad to Bagicha via Kolhen, Jhariya, Saraitoli, Ankira, Mundadih, Tambamunda, Babusajbahar, Bachrav,

however, Respondent No. 2 has neither published the said application in its agenda nor any notice has been issued to the Petitioner regarding disposal of his application and as such, Respondent No. 2 has failed to perform its statutory duty as provided under the Motor Vehicles Act, 1988. Owing to which, the Petitioner's vehicle is not only lying without permit but also causing immense financial loss to him day by day.

4. Having considered the facts and circumstances of the case and considering further the pendency of the Petitioner's application dated 27.04.2018 for grant of route permit from Matipahad to Bagicha via Kolhen, Jhariya, Saraitoli, Ankira, Mundadih, Tambamunda, Babusajbahar, Bachrav, I am inclined to allow this application. Accordingly, It is directed that Respondent No. 2/Regional Transport Authority, Surguja shall decide the said application for grant of route permit from Matipahad to Bagicha via Kolhen, Jhariya, Saraitoli, Ankira, Mundadih, Tambamunda, Babusajbahar, Bachrav, as mentioned in the said application within a period of five weeks from receiving the certified copy of this order and communicate its decision immediately thereafter to the Petitioner. The Petitioner shall serve the copy of this order before the concerned authority within a period of two weeks from today.
5. The petition is, accordingly, disposed of.

Jyoti

Sd/-
Sanjay K. Agrawal
Judge