

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(T) No. 84 of 2019

Naval Kishor Dewangan, S/o. Late Shri Ramgopal Dewangan, Aged About 37 Years, R/o. 102 R.S. Marg, Raniroad, Near Town School Champa, District Janjgir Champa Chhattisgarh, Through Its Power Of Attorney Holder Kamal Kishore Dewangan, S/o. Late Shri Ramgopal Dewangan, Aged About 34 Years, R/o. 102 R.S. Marg, Raniroad Near Town School Champa, District Janjgir Champa Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Its Secretary, Department Of Transport, Mahanadi Bhawan, New Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. Regional Transport Officer / Taxation Authority, Raipur, District Raipur Chhattisgarh.

---- Respondents

For Petitioner : Mr. Shailedra Kumar Bajpai, Advocate

For State/Respondents : Mr. Anshuman Shrivastava, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17.05.2019

1. Perusal of the impugned order, particularly, para-4 thereof would indicate that notice of the proceeding was not served on the petitioner. Therefore, the impugned order is set aside on the ground of violation of principles of natural justice.
2. Let the authority pass fresh order after providing opportunity of hearing to the petitioner. Needless to say, after quashing of the impugned order, the impugned recovery is not executable against the petitioner. It is made clear that this Court has not expressed any opinion on the merits of the case and

the parties would be at liberty to raise all the grounds, both factual and legal, before the Taxation Officer.

3. In view of the above, the Writ Petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge

Ashok