

HIGH COURT OF CHHATTISGARH, BILASPUR**WPT No. 109 of 2019**

- Naval Kishor Dewangan Son of Late Shri Ramgopal Dewangan Aged About 37 Years Resident Of 102 R.S. Marg, Raniroad, Near Town School Champa, District Janjgir Champa (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Its Secretary, Department of Transport, Mahanadi Bhawan, New Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Regional Transport Officer/ Taxation Authority Raipur, District Raipur (C.G.)

---- Respondents

For Petitioner : Shri S.K. Bajpai, Advocate

For Respondents/State : Ms. Smita Ghai, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****25/07/2019**

1. Perusal of the impugned order (Annexure P-1) would show that the present petitioner, as appears, has not been served.
2. Learned counsel for the petitioner would submit that under the similar facts & circumstances the order has been passed by this Court in WPT No.84 of 2019 on 17.05.2019 wherein opportunity of hearing has been granted.
3. In view of the above, it is directed that 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.

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

Sd/-

Goutam Bhaduri
Judge

Ashu