

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(T) No. 243 of 2018

Meena Devi Dewangan, W/o. Late Shri Ramgopal Dewangan, Aged About 62 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, Son Of Late Shri Ramgopal Dewangan, Aged About 33 Years, Resident Of 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 Bajpai, Advocate
----------------	---	--------------------------------

For State/Respondents	:	Mr. Aditya Bhardwaj, Panel Lawyer
-----------------------	---	-----------------------------------

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/04/2019

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