

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 179 of 2021**

- Ramavtar Nishad Son Of Kali Ram Nishad Aged About 45 Years Resident Of Near Ram Janki Mandir, Ramshankar Nagar, Bhanpuri, District Raipur (Chhattisgarh)

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Transport Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur (Chhattisgarh)
2. Regional Transport Authority Durg Division, Durg Chhattisgarh,
3. Secretary Regional Transport Authority Durg Division Durg Chhattisgarh

**---- Respondents**


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|----------------|---|--------------------------------|
| For Petitioner | : | Mr. Ajay Shrivastava, Advocate |
| For State      | : | Mrs. Richa Shukla, Dy. G.A.    |

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**Hon'ble Shri Justice Goutam Bhaduri****Order on Board****20.01.2021**

1. Heard
2. Learned counsel for the petitioner submits that the petitioner had applied for a regular stage carriage permit from Durg to Raipur on 09.09.2019 which was eventually allowed on 26.12.2019. However as per Rule 74 Sub-rule 3 of the Chhattisgarh Motor Vehicles Rules 1994, the order was not communicated to the petitioner. Thereafter when the information was sought under the Right to Information Act, the petitioner came to know by order dated 26.12.2019 that the permit sought by him has been allowed.

Thereafter, the respondent No. 2 Regional Transport Authority Durg has to issue a permit in the prescribed form to the petitioner so that the vehicle can be allowed to ply on the given route as per the permit. He further submits that thereafter despite the order which exists in favour of the petitioner, the respondent No. 2 Regional Transport Authority Durg is not issuing the permit in favour of the petitioner in the prescribed form, therefore the respondent authority may be directed to issue the necessary permit in the required form.

3. Considering the facts and the order dated 26.12.2019, if the order has not been modified by any subsequent order and the petitioner's application stands allowed, then in such condition the respondent No. 2 Regional Transport Authority Durg shall issue the necessary permit in the prescribed form within a period of 30 days from the date of receipt of this order.
4. With such observation/ direction, the writ petition stands disposed off.

**sd/-**  
**(Goutam Bhaduri)**  
**Judge**