

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1873 of 2020

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Md. Absar Alam Son of Md Abdul Nasir Resident of Rampur, Forbisganj,
P.S.- Forbisganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Transport, Bihar, Patna.
2. Regional Transport Authority, Purnea through Joint Commissioner cum Secretary, Office situated at Divisional Commissioner's Compound, Purnea, District- Purnea.
3. Divisional Commissioner cum Chairman, Regional Transport Authority, Purnea, Office situated at Divisional Commissioner's Compound, Purnea, District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Randhir Kumar Singh, Advocate
For the Respondent/s	:	Mr.Sarvesh Kumar (GP24)
		Mr. Manoj Kumar, AC to GP-24

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 20-09-2022 Petitioner has prayed for the following relief(s):

“(i) For issuance of an appropriate writ, rule, order or direction particularly in the nature of writ of certiorari to quash the order/ resolution of the Regional Transport Authority, Purnea taken in its meeting dated 25.9.2019 being Karyawali Sankhya 5(Kha) serial no 4, the proceeding signed on 30.9.2019(Annexure-2), whereby the application of the petitioner for grant of permanent permit on the Inter Regional route Purnea to Nirmali is rejected on the



ground that the petitioner applied for new permit on the same route with new time table which unnecessarily clashes the timing.

(ii) For issuance of further writ in the nature of certiorari to quash the resolution dated 25.9.2019, proceeding signed on 30.9.2019 whereby at Karyawali Sankhya 7 of the Agenda, it has been resolved that, neither new permit shall be surrendered within 6 months from the date of validity nor there will be any change of time table within 6 months from the date of validity nor there will be any change of time table within 6 months. The proceeding further resolved not to accept any application for new permit on the same route after surrender of old permit. The aforesaid resolution/ decision is not only violative of Rule 86(1) of the Bihar Motor Vehicle rules 1992 but also violative of order passed by the learned State Transport Appellate Tribunal, Bihar, Patna dated 28.4.2014 passed in Transport Revision Case no 04,2014.

(iii) For issuance of further writ in the nature of certiorari to quash the aforesaid resolution dated 25.9.2019 whereby it has been resolved not to consider the application for grant of new permit on the route Purnea-Forbesganj-Basmatiya-Birpur and Purnea- Forbesganj-Narpatganj-Simrahi-Supaul having proposed timing between 7.00 A.M to 2.00 P.M from both side for 6 months. This order is completely illegal, arbitrary and against the provision of Constitution of India which provide a person to



do any legal business of its choice.

(iv) Grant such other relief or reliefs
to which the petitioner found entitled in the facts
and circumstances of this case.”

Learned counsel for the petitioner, under
instructions, seeks permission to withdraw the present petition.

Prayer allowed.

Petition is disposed of as withdrawn.

Interlocutory application(s), if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

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