

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2791 of 2022

Rajesh Kumar Son of Vishwanath Prasad Resident of Cinema Road, Ward No 19, Gopalganj, P.O., P.S. and District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Department of Transport, Government of Bihar, Bishwashraiya Bhawan, Baily Road, P.O. and P.S.- Patna.
2. The State Transport Authority, Bihar through its Secretary, Bishwashraiya Bhawan, Baily Road, Patna.
3. The State Transport Commissioner, Department of Transport, Government of Bihar, Bishwashraiya Bhawan, Baily Road, P.O. and P.S.- Patna.
4. Bihar State Road Transport Corporation, through its Administration, Sultan Palace, Bir Chand Patel Path, Patna.
5. District Magistrate, Gopalganj.
6. District Transport Officer, Gopalganj.
7. District Transport Officer, Chapra.
8. District Transport Officer, Siwan.
9. District Transport Officer, Motihari.
10. District Transport Officer, Bettiah.
11. Regional Manager, Bihar State Road Transport Corporation, Muzaffarpur.
12. Depot Superintendent, Bihar State Road Transport Corporation, Chapra..

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Jha, Advocate.
For the Respondent/s	:	Mr. Ajay Kr. Rastogi (AAG-10)
		Mr. P. K. Verma, Sr. Advocate.
		Mr. Arvind Kumar, Advocate.

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

(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

2 30-03-2022 Heard Shri Randhir Kumar Singh, learned counsel

for the petitioner, Shri A.K.Rastogi, learned senior counsel for

the State as well as Shri P.K.Verma, learned senior counsel



appearing on behalf of the Bihar State Road Transport Corporation.

Petitioner has prayed for the following relief(s):-

“That this is an application for issuance of an appropriate writ/writs, order/orders or direction/directions, in the nature of writ of mandamus commanding and directing the Respondents to dispose of the representation filed by the petitioner before Secretary, Transport Department, Government of Bihar, Patna (Respondent no. 1) dated 15.02.2018 and 25.06.2018 (Annexure-3 & 6) and representation dated 20.03.2018 (Annexure-4) filed before State Transport Commissioner, Bihar, Patna (Respondent No. 3) in which the Petitioner prayed before them to immediately stop the bus service operated on the route Gopalganj to Gorakhpur and Delhi, Siwan to Gorakhpur and Delhi and other different route from Gopalganj, Siwan, Chapra, Motihari to Gorakhpur upto Delhi which has been continuously operating without any route permit putting great loss to the valid permit holder including the petitioner as also there is great loss to the State Exchequer, The petitioner also filed representation before the District Magistrate, Gopalganj and District Transport Officer, Gopalganj as well as before Administrator, Bihar State Road Transport Corporation, Patna but they have not taken any action till date.

And/Or

Direct the respondents to immediately stop such illegal operation of bus on the route Gopalganj, Siwan, Chapra, Motihari, Muzaffarpur upto Delhi which are being operated by the persons without obtaining any valid route permit in this regard.

And/or

Pass such other order or orders as your Lordships may deem fit and proper in the facts and circumstances of this case.”

The only contention put forth by the learned counsel for the petitioner is that certain stage carriages are running without valid permit, as is required under Section 66 of the



Motor Vehicles Act. For ventilating his grievance, the petitioner has filed a detailed representation, as contained in Annexure-4 to the writ application.

Having considered the submissions made on behalf of the counsel for the petitioner, this writ application is disposed of with a direction to the State Transport Commissioner, Patna to consider the objection made by the petitioner and dispose of the same within a period of eight weeks from the date of receipt/production of a copy of this order.

It is needless to say that the petitioner is at liberty to place additional material, if any required, in order to substantiate his objection.

It is also observed that if the petitioner feels aggrieved by the order passed by the concerned respondent-State Transport Commissioner, Patna, he may avail appropriate remedy in accordance with law.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Harish Kumar, J)

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