

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3976 of 2020

1. Subhash Chandra Tiwari, aged about 42 years (Male) Son of late Raj Kishore Tiwari, At Dighikala, West Hajipur, P.S.Hajipur, Distt. Vaishali.
2. Nivas Chandra Tiwari, aged about 39 years (Male), Son of late Raj Kishore Tiwari, At Dighikala, West Hajipur, P.S. Hajipur, Distt. Vaishali.
3. Eden Transport Pvt. Ltd. Represented By Shri Shailendra Pandey (G.M.), Registered of at 7, J.L. Nehru Road, Kokatta- 700013
4. Kumar Bagesh, aged about 46 years (Male) Son of Late Prem Kumar Jha, Dighikala, East Hajipur P.S. Hajipur, Distt. Vaishali.
5. Rajeev Ranjan Kumar Singh, aged about 41 years (Male) Son of Surendra Pd. Singh, At Ward No. 8 Adulpur, Babuganj, P.S. Rafiganj, Distt. Aurangabad.
6. Rajiv Nayan Kumar Singh, aged about 41 years (Male) Son of Surendra Prasad Singh, at Ward no. 8 Abdulpur, Babuganj, P.S. Rafiganj, Distt. Aurangabad.
7. Nirmala Devi, aged about 65 years (Female) Wife of late Raj Kishore Tiwari, At Dighikala, West Hajipur P.S. Hajipur, Distt. Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Transport , Govt. of Bihar, Patna.
2. Regional Transport Authority, Muzaffarpur through Secretary
3. Chairman, Regional Transport Authority, Muzaffarpur.
4. Secretary, Regional Transport Authority, Muzaffarpur.
5. Dr. Krishna Kumar Singh, Unauthorized Member, Regional Transport Authority, Muzaffarpur.
6. Rajesh Ranjan Shukla, Son of Sri Girija Shankar Shukla, Ward No. 14 Road No. 6, Jaiprakash Nagar, near I.T.I. Betiha , West Champaran.
7. Mahendra Kishore Singh, Son of Harendra Kishore Singh, Vill- Tanki Bazar, Balmikinagar, Bhagha-2 West Champaran.
8. Shailendra Kumar Singh, Son of Harnam Singh, Vill- Laxmipur Ramurwa, Bhagha 2 West Champaran.
9. Pradeep Kumar Singh, Son of Kumud Narayan Singh, Vill- Laxmipur, Persowna, West Champaran.
10. Deep Narayan Singh Son of late Umashankar Singh, Vill Shiswam Bairagi Nawalpur, West Champaran.
11. Vijay Raw, Son of late Dwarika Saw, Vill Chandol West Champaran.
12. Raj Kumar, Sahi, Son of late Krishna Sahi, Vill- Siswa, Bairagi, West Champaran.
13. Vikash Kumar Son of Surender Prasad, Vill- Gandhinagar, Bhagha West Champaran.



14. Chandra Bhushan Singh, Son of Kamal Singh, Vill Post- Kurwan Mathia, P.S.- Chanutiya, West Champaran.
15. Ravi Shankar Singh, Son of Brij Singh, Vill- Jhakhra Nautan, West Champaran.
16. Nand Kishore Narayan Son of Har Madhav Vill Shahi Supriya Cinema Road, Bethia, West Champaran.
17. Amresh Raw, Son of Dwarika Raw, Vill Chandol West Champaran.
18. Bhola Kumar, Son of late Anand Prakash, Vill Purani Bazar, Narkatiyaganj, West Champaran.
19. Uday Singh, Son of late Kamal Singh, Vill- Kurwan Mathia, P.S. Chanptiya, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. B N Singh, Advocate Mr. Sanjay Kumar Pandey, Advocate
For the Respondent/s	:	Mr. Randhir Kumar Singh, Advocate Mr. Ajay Kumar Jha, Advocate
For the State	:	Mr. Ravi Ranjan, AC to SC 22

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 27-06-2022 Heard learned counsel for the parties.

The petitioners are aggrieved by the order for grant of permit to some of the respondents by RTA, Muzaffarpur in meeting dated 31.01.2020. At the outset, learned counsel for the respondents counsel have pointed out that the petitioners had an alternative remedy under Sections 89 and 90 of the Motor Vehicles Act, 1988, for filing an appeal before the State Transport Appellate Tribunal. However, they did not exhaust this remedy. On due consideration of the matter, we are of the considered view that the petitioners ought to have exhausted the



alternative remedy available to him. On being asked, whether he is ready to do so even at this stage he has expressed his willingness.

Under the circumstances, this Court disposes off the writ petition with the direction that in case the petitioners files an appeal before the State Transport Appellate Tribunal within three weeks from today, the Appellate Tribunal shall not reject the same on the question of limitation alone. It shall consider the matter on merits and pass a speaking order at the earliest in any case not later than three months.

(Rajan Gupta, J)

(Shailendra Singh, J)

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