

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10381 of 2021

Debendra Kumar Barik

....

Petitioner

-versus-

***State Transport Authority, Odisha,
represented by its Secretary,
Cuttack and others***

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

11.02.2022

**Order
No.**

07.

1. This matter is taken up through hybrid mode.
2. This writ petition has been filed by the Petitioner with a prayer to quash the decision taken by the STA, Odisha in its 264th and 291st meeting to cancel the permanent permit where the vehicle is declared off road for more than six months and direct the Opposite Parties to grant renewal of permanent permit on the inter-state route, i.e., from Phulbani to Tata.
3. Heard the learned counsel for the Petitioner and Mr. P. Behera, learned Standing Counsel appearing for the Transport Department.
4. It appears that the Petitioner was issued with a notice of show cause for cancellation of the permit for non-plying of the vehicle in the said route. Petitioner responded to the same

by filing a show cause. Before any decision was taken, the permit issued to the Petitioner had expired. So the case of the present Petitioner is a case of renewal now and his case now pending before the STA, Odisha for renewal, as submitted by Mr. P. Behera, learned Standing Counsel appearing for the Transport Department. Since the S.T.A. has not disposed of the same, the prayer made by the Petitioner in this writ petition to direct the S.T.A. to renew the permit appears to be pre-matured one. However, Mr. P. Behera, learned Standing Counsel appearing for the Transport Department submits that his case shall be taken up in the next meeting of the STA and disposed of in accordance with law.

5. Mr. B.K. Biswal, learned counsel appearing for the Petitioner submits that the same should be considered in the light of Section 81 of the M.V. Act.

6. Considering the aforesaid facts and submissions made and without expressing any opinion on the merit of the case, this Court dispose of this writ petition with an observation that the renewal of permit of the Petitioner which is pending in respect of aforesaid route be considered and disposed of giving due opportunity of hearing to the Petitioner and addressing his contention made, by a reasoned order within three months hence or in the next meeting of S.T.A.,

whichever is earlier. The decision taken thereof be communicated to the Petitioner within ten days thereof.

7. Urgent certified copy of this order be granted on proper application.

(S.Pujahari)
Judge

DA

