

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 27488 OF 2022

Ajay Kumar Biswal ***Petitioner***

Mr. Sabyasachi Mishra, Advocate
-versus-

Transport Commissioner-cum- Chairman, STA, Cuttack and another ***Opp. Parties***

Mr. Pravakar Behera, Standing Counsel
(For Transport Department)

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
26.10.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The Petitioner being aggrieved by the action of authorities under the Odisha Road Transport Department in rejecting his application for change of timing slot in respect of the vehicle bearing Registration No. OD-01-Z-8139 has approached this Court.
3. It is submitted by Mr. Mishra, learned counsel that the Petitioner is a senior operator in the route from Balasore to Bhubaneswar in respect of his vehicle Registration No. OD-01-Z-8139. He had made an application for change in timing slot, which was rejected on 19th September, 2022. In the meantime, the STA has come up with a notification dated 30th September, 2022 to make all applications for change of timing slot giving priority to the senior operators. In that view of the matter, Mr. Mishra, learned counsel for the Petitioner submits that interest of justice will be best served, if his application submitted before

the Transport Commissioner-cum-Chairman, STA, Cuttack on 20th September, 2022 (Annexure-6) is considered in terms of the notification dated 30th September, 2022.

4. Mr. Behera, learned Standing Counsel for the Transport Department submits that in the event the Petitioner makes an application pursuant to the notification dated 30th September, 2022, his application can be considered in accordance with law.

5. Considering the submissions made by learned counsel for the parties, this Court without expressing any opinion on the merits of the case disposes of this writ petition with a direction that in the event the Petitioner makes an application for change of timing slot for the route from Balasore to Bhubaneswar in respect of his vehicle bearing Registration No. OD-01-Z-8139 (stage carriage) within a period of two weeks hence along with certified copy of this order, the Transport Commissioner-cum-Chairman, STA, Odisha, Cuttack-Opposite Party No.1 shall do well to consider the same in accordance with law giving opportunity of hearing to the Petitioner as well as other operators likely to be affected and communicate the result thereof to the Petitioner forthwith.

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

(K.R. Mohapatra)
Judge