

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10270 of 2016

Jogendra Pd. Yadav, son of Late Kokai Yadav, Resident of Mohalla-Tilkamanjhi (Yadav Colony), P.S- Tilkamanjhi, District - Bhagalpur.

... .. Petitioner/s

Versus

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

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Adv.

For the Respondent/s : Mr. Satyendra Kumar, SC-5.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

6 28-08-2023 Heard the learned counsels appearing on behalf of the parties.

2. The present writ petition has been filed for the following relief:-

“That this is an application for issuance of an appropriate writ, rule or direction commanding and directing the respondents to renew the Agent Licence No. 089/2001 which was last renewed upto 5.6.2014 (Annexure-1) and thereafter the respondents have not taken any decision till date for renewal of the aforesaid licence through the petitioner has filed his renewal application on 21.02.2014 after fulfilling all the required criteria as also submitted all the required documents for the aforesaid purpose.”

3. Learned counsel appearing on behalf of the petitioner has stated that the petitioner has applied for agent licence to the respondents herein but the same has not been



considered till date. Learned counsel has stated that the official-respondents are taking frivolous, vague and legally untenable grounds for not passing any orders on the application made by the petitioner.

4. In the counter affidavit filed by the respondents, it is stated that since January, 2014 the authorities have not issued any fresh license nor renewed the existing licences, therefore, the application of the petitioner has not been considered by the authority concerned. It is further stated that the authorities cannot pass any orders on the application of the petitioner as no fresh licences are being issued and neither renewing the existing licenses.

5. Learned counsel appearing on behalf of the petitioner has drawn the attention of this Court to the rejoinder filed by the petitioner wherein a specific plea has been taken that the RTA, Bhagalpur vide letter No. 248 dated 30.08.2017 has issued nearly 64 permits for the Months of April, 2016 to August, 2017. Therefore the stand taken by the authorities that no new licences have been issued or the old licence renewed is absolutely false statement made to prejudice this Court from passing any orders in favour of the petitioner.

6. At this stage learned counsel appearing on behalf



of the respondents has stated that as the matter is of the year 2016, the petitioner may be directed to make a fresh application to the authorities concerned for issuance of the agent licence and the authorities may be directed to consider the same duly taking into consideration the letter No. 248 dated 30.08.2017 issued by RTA, Bhagalpur.

7. Having regard to the same, the petitioner is directed to make a fresh application for issuance of the agent licence within a period of four weeks from today without insisting for payment of application fee. On such application being made, the authority concerned shall consider the same, duly taking into consideration the letter No. 248 dated 30.08.2017 issued by RTA Bhagalpur as expeditiously as possible preferably within a period of eight weeks thereof.

8. With the above directions, the present writ petition stands disposed off.

(A. Abhishek Reddy , J)

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