

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10245 of 2016

=====

Jitendra Yadav, Son of Late Ashu Yadav, Resident of Mohalla- Mauji Gope
Gali, Aliganj (Gangti) P.S- Mojahidpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the 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. Mithilesh Kumar Pathak, Adv.

=====

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 seeking

the following relief:-

“That this is an application for
issuance of an appropriate writ, rule or
direction commanding and directing the
respondents to consider the application filed by
the petitioner on 20.09.2014 for grant of Agent
Licence after fulfilling all the required criteria
as also submitted 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)

shakir/-

U			
---	--	--	--

