

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13988 of 2023**

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1. Bihar Truck Owners Association with its registered office at Quarter No. 4H/84- Bhutnath Road, Bahadurpur Housing Colony, Post Office- Agamkuan, Police Station- Agamkuan, District- Patna through its Secretary Deepnarayan Singh (Male), aged about 47 years, son of Shri Kripanarayan Singh, resident of Babhangama, Bhagalpur, Police Station- Bihpur and District Bhagalpur Bihar- 853201.
  2. Begusarai Truck Owners Association, through its Vice- President Ram Sewak Singh (Male), aged about 54 years, son of Shri Ram Balak Singh, Resident of Village- Bihar, Post Office - Bihat, Police Station- Barauni and District- Begusarai, Bihar 851135.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Mines Commissioner, Government of Bihar, Patna.
3. The Mines Director, Government of Bihar, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Avinash Chandra, Advocate |
| For the Respondent/s | : | Mr.Gyan Prakash Ojha (Ga7)   |
|                      |   | Mr. Abhinav Ashok, Ac to Ga7 |
|                      |   | Mr. Naresh Dixit, Spl. P.P.  |
|                      |   | Mr. Utsav Anand, Advocate    |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      05-09-2024                      Heard the parties.

2. The present writ petition has been preferred for  
grant of the following relief/s:-

*“(i). for direction of the  
respondent authorities to produce the  
copy of letter/memo/order/notification  
dated 13.09.2021 before this Hon’ble  
Court through which government of  
Bihar has implemented the time limit*



*of validity of Chalan/Mineral Transit Pass, about which the petitioner came to know through the answer of an RTI application vide letter no. 4588 dated 03.09.2022.*

*(ii). For setting aside the said letter/memo/order/notification dated 13.09.2021 through which government of Bihar has implemented the time limit of validity of Chalan/Mineral transit Pass.*

*(iii). For direction to respondent to make any provision to extend the time limit of Mineral Transit Pass/Chalan in case of extraordinary of unforeseen circumstances as it is given in the Transit Pass/Chalan issued by the Department of Commercial Taxes.*

*(iv). For any relief/reliefs, direction/directions, or order/orders which are found admissible during the course of argument.”*

3. Mr. Naresh Dixit learned Special P.P. Mines has provided an order of Division Bench of Patna High Court in **CWJC No. 6316 of 2023 (All India Motor Transport Congress vs. The State of Bihar and others)** analogous with



**CWJC No. 5657 of 2023 (Bihar Truck Owners Association vs. The State of Bihar and others)** and the short order read as follows:-

*“The above writ petitions are filed by Association of Motor Transport owners challenging the compounding fee fixed by the State Government.*

*In fact, there is no locus standi for the Association especially since the Association is not the owner of a motor vehicle. Any person who is aggrieved with the compounding fee imposed now and who has a motor vehicle could approach this Court.*

*With the above liberty, the writ petitions stand closed.”*

4. At this juncture, learned counsel for the petitioner submits that he may be permitted to withdraw the petition with liberty to approach appropriate authority in accordance with law.

5. Granting said liberty and without making any comment on the merit of the case, the writ petition stands disposed of.

**(Rajiv Roy, J)**

Ankit Kumar/-

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