IN THE HIGH COURT OF MADHYA PRADESH AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ANAND PATHAK

ON THE 5th OF FEBRUARY, 2024

WRIT PETITION No. 2707 of 2024

BETWEEN:-

1. **PRAYAG BUS SERVICE THROUGH PROP. MUKESH KUMAR S/O LATE SHRI CHOKH SINGH, AGED 60 YEARS, OCCUPATION: BUS OPERATOR R/O WARD NO. 12 GHORELLA MOHALLA DEVELOPMENT AREA, SHAHDOL DISTRICT SHAHDOL (M.P.) (MADHYA PRADESH)**

2. **PRAYAG BUS SERVIE THR. PRO SMT. SWETA JAISWAL W/O SHRI VIRENDRA SINGH, AGED 41 YEARS, OCCUPATION: BUS OPERATOR R/O WARD NO. 12 GHORELLA MOHALLA DEVELOPMENT AREA SHAHDOL (MADHYA PRADESH)**

.....PETITIONER

(BY SHRI GEETESH MARWAL- ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH THROUGH PRINCIPAL SECRETARY DEPTT. OF TRANSPORT, VALLABH BHAWAN, BHOPAL M.P. (MADHYA PRADESH)**

2. **THE STATE TRANSPORT AUTHORITY MADHYA PRADESH, GWALIOR SIROL PAHADI GWALIOR (MADHYA PRADESH)**

3. **THE SECY. STATE TRANSPORT AUTHORITY MADHYA PRADESH, GWALIOR SIROL PAHADI GWALIOR (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI MAN SINGH JADON- GOVERNMENT ADVOCATE FOR RESPONDENT/STATE)

This petition coming on for admission this day, the court passed the following:

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ORDER

1. Petitioner No.2, engaged in the business of transportation, holds a Stage Carriage Permit. Petitioners filed applications for transfer of permit No. SCP No.1546/STA/STG/2015 (Shadol to Allahabad), and SCP No.1671/STA/STG/2016 (Rewa to Allahabad), inter-state routes, on 29.08.2022.

2. It is a complaint of the petitioners that so far respondent No.2 has not adverted to and decided the applications.

3. Learned Government Advocate for the respondents submit that on their own showing petitioners have filed the applications wayback on 29.08.2022 and maintained their blissful silence for two years. Now, at this belated stage, no interference is warranted in the form of writ of mandamus as petitioners themselves are responsible for the delay caused.

4. Upon hearing learned counsel for the parties, though this Court refrains from commenting upon the rival contentions; however, it is considered expedient to observe that the public authority is expected to ensure that all such matters falling within his jurisdiction if placed before him are decided with promptitude to avoid vulnerability in public domain. If the application as referred above is filed in this case on 29.08.2022, the authority is expected to decide the same in accordance with law expeditiously. That atleast has not been done.

5. Hence, in the fitness of things, present writ petition is **disposed of** with the observation and direction that if in the event the order passed today is submitted before respondent No.2 within a week he shall be well advised to address upon the applications dated 29.08.2022, if not already decided, within a

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reasonable time but not later than two months from today.

6. It is made clear that this Court has not expressed any opinion on the merits of the case.

(ANAND PATHAK)
JUDGE

Vishal

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