

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14228 of 2018

Dayanand Singh S/o Late Kapildev Singh, Village and Post Mahua, P.S. Mahua, District Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Transport, Government of Bihar, Patna
2. Chairman, State Transport, Appellate Tribunal, Govt. of Bihar, Patna.
3. The North Bihar Regional Transport Authority, Muzaffarpur, Bihar through Secretary.
4. The Commissioner cum Chairman, North Bihar Regional Transport Authority, Muzaffarpur.
5. The District Officer, Vaishali at Hajipur, Post District- Hazipur.
6. Manoj Kumar S/o Shivdayal Rai, Village Mahua Ramrajya Tola, P.S. Mahua, District Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate
For the Respondent/s : Smt. Anuradha Singh - SC21

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 28-07-2025

1. The petitioner has filed the instant application for the following relief(s):

“ That this Writ Petition is directed against the order dated 11-04-2018 passed by the Learned Chairman, State Transport Appellate Tribunal, Patna, upholding the order of the North Bihar Regional Transport Authority, Muzaffarpur dated 9/5/2016 by which the settlement of Mahua Bus stand which was with this petitioner was cancelled on the point of less deposition of



toll tax than collected by the petitioner, without giving any opportunity to hear this petitioner or his advocate waiting at P.A. room of the Divisional Commissioner Muzaffarpur for their chance to be called in the RTA meeting dt- 09.05.2016 or to put his grievances or reply upon the report of collector relating to less revenue deposition passed ex parte order cancelling Mahua Bus Stand, settled with petitioner, besides only considering the three applications out of ten applications filed for the Mahua bus stand in competition and passed exparte order in favour of respondent no. 06 to this WRIT application Manoj Kumar in closed door room meeting, without calling any party or their Advocates in spite of facts that the Learned Counsels of parties including the Advocate of this petitioner sent a note massage to the Chairman of the Authority conducting the case of Mahua Bus stand in meeting that they should be also called and heard before passing any order in any ones favour, but no heed was given by Chairman of the Authority to call the petitioner or others to hear them and thus it can be well said that the Grant of license of Bus stand to Manoj Kumar the



respondent no. 06 was pre a determination either under some pressure or interest which failed the Justice.”

2. The brief facts of the case is that the petitioner entered into an agreement with the Transport Regional Authority, Muzaffarpur, pursuant to the powers conferred under Section 117 of the Motor Vehicles Act and Rule 191 of the Bihar Motor Vehicles Rules, 1972. On the basis of a report submitted by the District Officer, Vaishali, a bus stand was established in Mahua in the year 2009.

3. The Learned counsel for the petitioner submitted that the said bus stand was operated by the petitioner without any interference until the year 2012. However, disturbances were caused at the instance of the local MLA, allegedly in favour of one Manoj Kumar/respondent No. 6. It is submitted that false reports were prepared in collusion with local officials, leading to the cancellation of the earlier agreement with the petitioner by the District Magistrate, and not by the



competent authority. Later the Authority approved the District Magistrate order and issued a direction for inviting fresh applications for the Mahua Bus Stand.

4. In response to the said advertisement, ten applications were received. On 09.05.2016, the applicants learnt that the Authority had scheduled a meeting to decide the matter including petitioner's claim. Several applicants, including the petitioner, appeared before the Authority along with their legal representatives and requested a hearing. However, the Chairman allegedly paid no heed to their submissions and proceeded to decide the matter in a closed-door meeting, ultimately favouring respondent No. 6, Manoj Kumar.

5. The Learned counsel for the petitioner submitted that the petitioner was not afforded any opportunity to present his case during the final proceedings held on 09.05.2016. It is also submitted that the Authority solely relied on the report of the District Officer, which was already under challenge before this Hon'ble Court in CWJC



No. 18361/2015. The only reason cited for cancellation was a discrepancy in toll collection figures mentioned in the report of District Magistrate, which the petitioner asserts incorrect.

6. It is further contended that that the petitioner informed the Chairman of the Tribunal about the observations made by the Division Bench of this Court in CWJC No. 2520/2016 (Asha Singh vs. The State of Bihar & Others), where the present petitioner was arrayed as respondent no. 8. However, the petitioner claims that the Learned Chairman ignored the directions of this Court.

7. It is further contended that the official notification specifies, that the bus stand was to be located at Mahua Panchayat but the 6th respondent, Manoj Kumar, has set it up at Mangurahi Nagar Panchayat. This fact was admitted by 6th respondent Manoj Kumar in his counter before the Appellate Tribunal, but the Tribunal did not consider this material aspect while deciding the case.

8. It is further contended on behalf of the



petitioner that the final hearing in TR Case No. 2/2016 and TR Case No. 4/2016 was conducted jointly with the consent of all parties, including the petitioner, Manoj Kumar/6th respondent, District Magistrate, State, and the North Bihar Regional Transport Authority. It is also contended that there was no justification for deciding only one case while keeping the others pending, particularly when the decision in CWJC No. 9842/2016 (Vijay Kumar vs. State of Bihar) would have affected the outcome of the matter. It is submitted there is non-application of judicial mind and an unreasonable approach. The Learned counsel for the petitioner also pointed out several factual errors in the orders passed in TR Case No. 4/2016 (Dayanand Singh vs. NBRTA) and TR Case No. 2/2016 (Rajnesh Kumar vs. NBRTA) and further submitted that important legal issues related to the Principles of Natural Justice and Article 14 of the Constitution were ignored by the Tribunal.

9. Heard the Learned counsel for the Parties.



10. The Learned counsel for respondent No. 6 submitted that CWJC No. 9844 of 2016 (Vijay Kumar Rai vs. The State of Bihar & Ors.) was dismissed as withdrawn. He further submitted that the State Transport Appellate Tribunal, Bihar, Patna, in T.R. No. 02 of 2016 has observed in its order dated 11.04.2018 which reads as follows:

“Considering the aforesaid facts I am of the opinion that when the same order is challenge before this tribunal in this revision and also before the Hon’ble High Court in CWJC No. 9844/2016, it is the demand of Judicial propriety that this revision application should be kept pending till the decision of the aforesaid writ application and when the aforesaid writ application shall be decided, this revision application will automatically become infructuous.

If the revisionist so likes he may take proper steps for being made a party in the aforesaid application, so that he may also place his case before the Hon’ble High Court in the aforesaid matter.

Put on -06.06.2018 awaiting the decision of the Hon’ble High Court in



CWJC No. 9844/2016”.

11. Learned counsel for respondent No. 6 submitted that in view of the above facts and circumstances, this writ petition is premature and should be dismissed on the ground alone.

12. Learned counsel for respondent No. 6 also drew the attention of this Court to the order dated 27.06.2016 passed by a Division Bench of this Court in CWJC No. 2520 of 2016 (Asha Singh & Anr. vs. The State of Bihar & Ors.), wherein their Lordships have held as follows:

“So far the grievance of the petitioners, in the present writ petition is concerned, in view of the decision taken by the aforesaid communication, dated 24.06.2016, the same does not survive any further.

Certain issues have been raised on behalf of the petitioners as well as learned counsel representing the Respondent No.8 that the new location of Bus Stand is not convenient for the general public of Mahua.

It goes without saying that the petitioners or the Respondent No.8 shall



be at liberty to question the decision of the Regional Transport Authority, Muzaffarpur, to that effect in an appropriate proceeding, in accordance with law.”

13. It is pertinent to mention that respondent No. 8 (Dayanand Singh) in CWJC No. 2520 of 2016 is the petitioner in the Writ petition.

14. The Learned counsel for respondent No. 6 further submitted that even liberty was granted by the Court in CWJC No. 2520 of 2016, however, the petitioner did not challenge the decision of the authority.

15. The Learned counsel for respondents submitted that there is no infirmity in the order dated 11.04.2018 passed by the Chairman, State Transport Appellate Tribunal, Patna. On perusal of the record and considering the submissions it is evident that the petitioner failed to establish any procedural irregularity so as to interfere with the order dated 11.4.2018 passed by the Chairman, State Appellate Tribunal, Patna.



16. In view of the foregoing discussion, this Court is of the considered opinion that the writ petition is liable to be dismissed.

17. In result, Writ petition is dismissed as devoid of merits.

18. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2025
Transmission Date	

