IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1204 of 2024
In
Civil Writ Jurisdiction Case No.17818 of 2023

CNR No. BRHC011167642024

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Manoj Kumar Yadav son of Late Chandeshwar Rai, At Bibiganj, Bhagwanpur, P.S. Sadar Muzaffarpur, District-Muzaffarpur.

... ... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Transport Department, Government of Bihar, Patna.
3. The State Transport Commissioner, Transport Department, Government of Bihar, Patna.
4. The Secretary, State Transport Authority, Bihar, Patna.
5. The Commissioner-cum- Chairman, Regional Transport Authority, Muzaffarpur.
6. The Additional Collector, Revenue-cum- Member, Regional Transport Authority, Muzaffarpur.
7. The Joint Commissioner-cum-Secretary, Regional Transport Authority, Muzaffarpur.
8. The District Transport Officer, Muzaffarpur.
9. Dharmendra Kumar S/o Ram Ekbal Ray, Resident of Village- Baigna, Post- Pindauli, P.S.- Aurai, District- Muzaffarpur.
10. Piyush, S/o Mithilendra Kumar Ray of Village- Madhaw Nagar, P.O.- Morsand, P.S.- Runnisaidpur, District- Sitamarhi.

... ... Respondent/s

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Appearance :
For the Appellant : Mr. Mukesh Kumar Singh, Advocate
For the State : Mr. Shashi Bhushan Kumar AAG-13
For Respondent 9 & 10 : Mr. Arun Kumar, Advocate
Mr. Raushan Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
and
HONOURABLE MR. JUSTICE RANA VIKRAM SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH)

11 06-11-2026 Heard learned counsel for the appellant, learned counsel appearing for the State and learned counsel appearing

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for Respondent Nos. 9 and 10.

2. The present Letters Patent Appeal has been preferred against the judgment dated 23.09.2024 passed by the learned Single Judge in *C.W.J.C. No. 17818 of 2023* whereby the orders dated 03.11.2023 and 01.02.2024, passed by the competent transport authorities, as well as the penalty imposed upon the writ petitioners, have been set aside. The learned Single Judge has further directed the competent authorities to consider the applications filed by the writ petitioners for renewal of their permits expeditiously, preferably within a period of four weeks.

3. The appellant herein was arrayed as Respondent No. 9 in the writ proceedings and had also intervened in the matter. His principal grievance is that the learned Single Judge has failed to consider the materials placed on record, particularly the circumstances in which the appellant was allotted the routes in question and the alleged dues payable to the Transport Department in respect of vehicles operating under the banner of “Piyush Travels”. It is contended that the learned Single Judge has passed the impugned judgment without properly appreciating the relevant facts and the materials available on record.

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4. We have considered the submissions advanced on behalf of the appellant and have also perused the impugned judgment. From bare perusal of the impugned judgment it appears that the learned Single Judge has duly noticed the stand taken by the appellant, including his claim regarding allotment of the routes in question and the alleged outstanding dues against vehicles operating under the banner of “Piyush Travels”. The learned Single Judge, upon consideration of the materials on record, has recorded a finding that the vehicles in question stood registered in the individual names of their respective owners and that in the absence of any material to establish that the vehicles belonged to one firm or organisation, the renewal of permits could not have been refused merely on account of dues allegedly outstanding against other individual vehicle owners.

5. The learned Single Judge has also clarified that the competent authorities are at liberty to take appropriate steps for recovery of the outstanding dues from the persons actually liable for the same. Thus, the impugned judgment does not absolve the defaulting persons from their liability towards the Transport Department.

6. So far as the claim of the appellant regarding allotment of the routes in question is concerned, the learned

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Single Judge has rightly observed that such allotment, having been made consequent upon the non-renewal of the permits of the writ petitioners, would not, by itself, confer upon the appellant any vested or indefeasible right to continue to operate on the said routes so as to defeat the lawful claim of the original permit holders. The appellant has not been able to demonstrate before this Court any independent statutory right which has been taken away by the impugned judgment.

7. It is also significant to note that the learned Single Judge has not directed the authorities to renew the permits of the writ petitioners automatically. The direction is confined to reconsideration of their applications for renewal in accordance with law. Therefore, the competent authorities are still required to examine the applications on their own merits, keeping in view the applicable statutory provisions and relevant considerations.

8. In view of the aforesaid facts and circumstances, we do not find any illegality or infirmity in the judgment passed by the learned Single Judge warranting interference by this Court in exercise of its Letters Patent Appellate Jurisdiction. The grounds raised in the present appeal do not persuade us to take a different view from that taken by the learned Single

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Judge.

9. Accordingly, the present Letters Patent Appeal stands dismissed.

10. Pending interlocutory applications, if any, also stand disposed of.

(Prabhat Kumar Singh, J)

(Rana Vikram Singh, J)

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