CGHC010204772026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 187 of 2026

Kartikey Dubey S/o Shri Prabhat Dubey Aged About 34 Years R/o D 16, Lane No. 3, Vinoba Nagar P.S. Tarbahar District Bilapsur (C.G.)

... Petitioner

versus

1. State of Chhattisgarh Through- The Secretary Department of Transport Mahanadi Bhawan Mantralaya New Raipur (C.G.)
2. The Regional Transport Authority Raipur Atal Nagar New Raipur District Raipur (C.G.)
3. Musfa Kareen Momin S/o Abdul Kareem Momin R/o Village And Post Nunera P.S. Pali District Korba (C.G.)

... Respondents

For Petitioner	: Mr. Shailendra Kumar Bajpai, Advocate.
For Respondent Nos. 1 and 2	: Mr. Anand Gupta, Dy. Govt. Advocate.
For Respondent No. 3	: Mr. B.L. Dembra, Advocate.

Hon'ble Shri Justice Sachin Singh Rajput

Order On Board

28.10.2026

1. Mr. Shailendra Kumar Bajpai, learned counsel, appearing for the petitioner.

2. Mr. Anand Gutpa, learned Deputy Government Advocate, appearing for the respondent No. 1 and 2.

3. Mr. B.L. Dembra, learned counsel, appearing for the respondent No. 3.

4. The present application has been filed by the applicant seeking recall/review of the order dated 31.07.2025 passed by a Coordinate Bench of this Court in WPC No. 2808 of 2025, with a prayer to restore the writ petition to its original number in the interest of justice.

5. Learned counsel for the petitioner submits that the petitioner had filed the present writ petition No. 2808 of 2025 before a Coordinate Bench of this Court challenging the order dated 28.10.2024 passed by the Regional Transport Authority (Annexure P-1) in Case No. 59, as well as the order dated 26.05.2025 passed by the State Transport Appellate Tribunal, Chhattisgarh, Raipur, in Revision Case No. 5 of 2025, arising out of the relevant proceedings. The challenge in the writ petition pertained to the grant of a permit in favour of respondent No. 3 for the operation of motor vehicle bearing registration No. CG-12-X-0376, 41 on the Korba–Bilaspur route, via Darri, Chhuri, Katghora and Pali. He further submits that the writ petition was withdrawn by the petitioner, with liberty to challenge the order dated 17.06.2025 passed by the Regional Transport Authority, whereby the application for change of timing of the aforesaid permit was allowed. It is submitted that, under a misconception, learned counsel withdrew the writ petition, whereas the principal relief sought therein related to the grant of the permit and not merely to the change of timing. It is further submitted that the petitioner intends to contest the writ petition on its merits and, therefore, the order dated 31.07.2025 deserves to be recalled and the writ petition restored to its original number.

6. Per contra, learned counsel appearing for respondent No. 3 submits that the challenge to the change of route had already been made unsuccessfully by the petitioner before the State Transport Appellate Tribunal. Thereafter, the petitioner also filed WPC No. 3270 of 2026,

which is pending consideration before this Court. It is contended that, since the issue relating to the change of route is already pending consideration, the relief sought in the present application cannot be granted.

7. Learned State counsel, submits that the dispute is essentially between private parties.

8. I have heard learned counsel for the parties and perused the records.

9. Having considered the submissions made by learned counsel for the parties and taking into consideration the fact that the petitioner intends to contest the writ petition No. 2808 of 2025 on its merits, and that the withdrawal of the writ petition was allegedly occasioned by a misconception on the part of learned counsel, be that as it may, this Court is of the view that the interest of justice would be served by allowing the present application.

10. Accordingly, the application is **disposed of**. The order dated 31.07.2025 is recalled, and W.P.(C) No. 2808 of 2025 is restored to its original number.

Sd/-
(Sachin Singh Rajput)
Judge

Abhishek