CGHC010339622026 2026:CGHC:44102

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

SHYNA AJAY
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Date: 2026.10.14 16:46:43 +0530

WPC No. 4673 of 2026

Mustafa Karim Momin S/o Shri Abdul Karim Momin, Aged About 41 Years, R/o House No. 129, Basti Para, Nunera, Tahasil Pali, Distt. -Korba (C.G.)

... Petitioner(s)

versus

1 - The Regional Transport Authority, Indrawati Bhawan, Atal Nagar, Nawa Raipur, District - Raipur (C.G.)

2 - Nilam Dubey, W/o Sanjay Dubey, Aged About 45 Years R/o House No. D16, Gali No. 03 Vinoba Nagar, Bilaspur, Distt. - Bilaspur (C.G.)

... Respondent(s)

For Petitioner(s)	**:**	Mr. Rahul Mishra, Advocate
For Respondent/State	**:**	Mr. Priyank Rathi, Government Advocate
For Respondent No.2	**:**	Mr. Shailendra Kumar Bajpayee, Advocate

SB: Hon’ble Mr. Justice Amitendra Kishore Prasad

Order on Board

12/10/2026

1. By way of this petition,, the petitioner seeks the following reliefs :

10.1 That, this Hon'ble Court may kindly be pleased to call the records pertaining to case of petitioner.

10.2 That, this Hon'ble Court may kindly be pleased

to direct the respondent no. 1 not to grant the application of respondent no. 2 for grant of temporary permit of her Bus bearing No. CG 10 AP 1738 on the route of Bilaspur to Korba via Ratanpur, Pali, Katghora in view of Rule 67(2)(b)(iii) and Rule 72(3)(d) of Chhattisgarh Motor Vehicle Rule, 1994 and also the judgment of Hon'ble High Court of Madhya Pradesh reported in 2014(3) M.P.L.J. page no. 478, in the interest of justice.

10.3 Any other relief, which this Hon'ble Court may deem fit in favour of petitioner, may also be granted.

2. Brief facts of the case are that the petitioner operates a stage carriage bus service on the Bilaspur-Korba route under a valid permit. Respondent No. 2 applied for and was granted temporary permits for her Bus No. CG 10 AP 1738 on the same route, despite having tax dues outstanding since October 2017 for another vehicle (Bus No. CG 10 G 0663), which is admitted by Respondent No. 2. Although the petitioner repeatedly filed written objections (Annexures-P/1 & P/5) highlighting that an applicant with tax arrears is ineligible for a permit under the Chhattisgarh Motor Vehicles Rules, 1994 and established judicial precedents, Respondent No. 1 granted the temporary permit without considering or deciding the petitioner's objections. Hence, this Petition.

3. Learned counsel for the petitioner submits that Respondent No. 1 granted the temporary permit in favour of Respondent No. 2 without considering or deciding the written objections submitted by the petitioner.

4. Learned counsel for the Respondent/State submits that the temporary permit previously granted to Respondent No. 2 has already expired. He submits that the application for grant/renewal of the temporary permit filed by Respondent No.2 is currently pending consideration before the competent authority. He further submits that if the petitioner desires to raise any objection, he may file an appropriate application before the authority concerned, which shall be considered and decided in accordance with law.

5. Heard learned counsel for the parties and also perused the documents annexed with the petition carefully.

6. Considering the facts and circumstances of the case, the parties are relegated to approach before the concerned authority before whom the subject application for grant/renewal of the permit is pending. The concerned authority shall decide the said application along with the objections of the petitioner in accordance with law, without being influenced by any observations made herein, as this Court has not expressed any opinion on the merits of the case. The parties shall be at liberty to raise all legal and factual grounds available to them under the law before the authority concerned.

7. With the aforesaid observations/directions, the Writ Petition is finally disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shyna Ajay