



CGHC010160422022



2026:CGHC:30442

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2674 of 2022

1 - State Of Chhattisgarh Through The Secretary, Government Of Chhattisgarh, Department Of Transport, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nava Raipur (C.G.) (The Petitioner No. 1 Was Not A Party Before The Learned State Transport Appellate Tribunal But Has Been Impleaded As Petitioner No. 1 In The Instant Petition As The Proper Course Is To Implead The State Government Through The Secretary Of The Concerned Department)

2 - Regional Transport Authority, Chhattisgarh, Raipur, Chhattisgarh

... Petitioner(s)

versus

1 - Kanker Roadways Through Its Partner Nav Preet Singh Garcha, Civil Lines, Raipur, Chhattisgarh

2 - Nandkishore Jain Bus Operator, Vikas Nagar, Kondagaon, Chhattisgarh

3 - Harsh Gupta, Bus Operator, Pratapganj Ward, Jain Mandir Road, Jagdalpur, District Bastar, Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Shri Anand Dadariya, Dy AG and Shri Soumitra Kesharwani, PL.
For Respondent No.1	:	Shri Subodh Pandey, Advocate.

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

17/07/2026

1. This Writ Petition has been filed by the petitioners/State against the order dated 24.12.2021 passed by the State Transport Appellate Tribunal, Raipur Chhattisgarh in Appeal case No.27A/2021 whereby the STAT has set aside the order dated 27.01.2021 passed by the Regional Transport Authority,

Raipur Chhattisgarh and directed the RTA to extend the permit of Respondent No.1 as per the previous sanctioned stage carriage permit from Jagdalpur to Nagarnar, in view of the proposed time slot.

2. Brief facts of the case are that respondent No.1/appellant was sanctioned a permanent stage carriage permit bearing No. 551/BTR/15 from Raipur to Jagdalpur via Dhamtari, Kanker Kondagaon. On 01/09/2017, Respondent No.1 had preferred an application under section 80(3) of the Chhattisgarh Motor Vehicle Act, 1988 before the Regional Transport Authority, Atal Nagar, Nawa Raipur, Chhattisgarh for extension of the proposed route as per the proposed timing in respect to the existing Permanent Permit No. 551/BTR/15 from Jagdalpur to Nagarnar distance 23 kilometers. On 24/12/2019 State government have issued a notification exercising its power conferred under section 68 of the Motor Vehicle Act and abolished all the Regional Transport Authority and constitute a single Regional Transport Authority within the State therefore all the cases which are pending before the different Regional Transport Authorities have been heard by the Regional Transport Authority, Chhattisgarh. The present case was also taken up by the RTA and the notice No.53 dated 13/11/2020 has been published in official the website www.cgtransport.gov.in and information of which was also given to the respondent No.1 and objections were called. That despite publication of the notice in the official website no objections were received. Virtual hearing has been done by the RTA, Chhattisgarh through video conferencing in respect to the extension of sanctioned/existing permanent permit on 25/11/2020 and in the said proceedings the present respondent No.1 and existing other operators were heard. The present respondent No.1 appeared through his

Advocate and stated that the captioned application is moved for extension of the route from Jagdalpur to Nagarnar of 23 kilometers as the Nagarnar Iron Steel Plant has been established and for providing transport facilities to the public for their movement is necessary. During hearing Respondents No.2 namely Nandkishore Jain, Vikas Nagar, Kondagaon had made an objection that the provisions of section 72(3) of the Motor Vehicle Act, 1988 has not been complied with and respondent No.3/Harsh Gupta, Jagdalpur had made an objection that there is clash of timing. After considering their objections, Regional Transport Authority, Chhattisgarh have passed the order on 27/01/2021 in Case No. 62 whereby the application preferred by the petitioner for extension of route has been rejected as the objection made by the respondent No.2 in respect to non compliance of provisions of section 72(3) of the Motor Vehicle Act, 1988 as the respondent No.1 has not attached the certified certificate of the proposed route alongwith the application. Order passed by the Regional Transport Authority, Chhattisgarh dated 27/01/2021 has been challenged by the respondent No.1 under section 89 of the Motor Vehicle Act, 1988 before the State Transport Appellate Tribunal and without considering the facts and law prescribed under the Motor Vehicle Act and Rules and after hearing STAT have set aside the order dated 27/01/2021 passed by the Regional Transport Authority, Bilaspur (CG) in Case No. 62 whereby Learned STAT has allowed the appeal of the respondent No.1 and set aside the order dated 27/01/2021 passed by the Regional Transport Authority, Chhattisgarh in Case No. 62 and it has been directed to the Regional Transport Authority, CG that within a period of 2 weeks from the date of receiving the order, as per the previous sanctioned

stage carriage permit from Jagdalpur to Nagarnar for proposed extension as per the proposed timing, extend the permit of the respondent No.1. Being aggrieved by the order passed by the Learned State Transport Appellate, this petition has been filed.

3. Learned counsel for the petitioner submits that this Court vide order dated 08.08.2022 had stayed the effect and operation of the impugned order dated 24.12.2021, however, at this juncture, it seems that the period of subject permit granted in favour of Respondent no.1 has already expired and nothing remains for adjudication in this case rendering this Writ Petition academic.
4. In view of the submission made by the petitioners/ State, it seems that nothing remains for adjudication in this case as the subject permit has reported to be expired, as such, this Writ Petition **is disposed of as having become academic** with a liberty in favour of Respondent No.1 to file appropriate application seeking permit in accordance with law before the RTA. On such an application being filed, the RTA is directed to consider the same and decide the same in accordance with law.
5. In consequence, order dated 24.12.2021 passed by the STAT is hereby set aside/quashed.

Sd/-
(Amitendra Kishore Prasad)
Judge