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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3217 of 2016**

- Vinod Kumar Mishra S/o Rajnarayan Mishra, Aged About 40 Years R/o Milan Chowk, Jashpur Nagar, Jashpur, Civil And Revenue Distirct Jashpur Chhattisgarh, Through- Power Of Attarney Holder- Shrutidhar Tripathi, Age- 40 Years, S/o Vidayadhar Tripathi, Rajhans Travels Bus Stand- Pandari, Raipur, Chhattisgarh

---- Petitioner**Versus**

1. Regional Transport Authority Bilaspur Division Bilaspur, Distirct Bilaspur Chhattisgarh
2. Secretary, Regional Transport Authority Bilaspur Division Bilaspur, District Bilaspur Chhattisgarh

---- Respondents**And****WPC No. 3225 Of 2016**

- Smt. Priyambada Singh Judeo W/o Late Shri Shatrunjay Pratap Singh Judeo, Aged About 40 Years R/o Vijay Vihar, Place, Jashpur Nagar, Jashpur, Civil And Revenue District Jashpur Chhattisgarh, Through Power Of Attorney Holder Anil Kumar Verma, Age 46 Years, S/o Vijay Bhusen Verma, Purni Toli Jashpur Nagar, Distt Jashpur (Chhattisgarh)

---- Petitioner**Vs**

1. Regional Transport Authority Bilaspur Division Bilaspur, Distirct Bilaspur Chhattisgarh
2. Secretary, Regional Transport Authority Bilaspur Division Bilaspur, District Bilaspur Chhattisgarh

---- Respondents**And****WPC No. 3220 Of 2016**

- Smt. Priyambada Singh Judeo W/o Late Shri Shatrunjaya Pratap Singh Judeo, Aged About 40 Years R/o Vijay Vihar Palace, Jashpur Nagar, Jashpur, Civil And Revenue District Jashpur, (Chhattisgarh) Through Power Of Attorney Holder Anil Kumar Verma Age 46 Years S/o Vijay Bhusan

Verma- Purani Toli Jashpur Nagar Dist. Jashpur Chhattisgarh.

---- **Petitioner**

Vs

1. Regional Transport Authority Bilaspur Division Bilaspur, District Bilaspur, (Chhattisgarh)
2. Secretary, Regional Transport Authority Bilaspur, Division Bilaspur, District Bilaspur, (Chhattisgarh)

---- **Respondent**

And

WPC No. 3228 Of 2016

- Vinod Kumar Mishra S/o Rajnarayan Mishra, Aged About 40 Years R/o Milan Chowk, Jashpur Nagar, Jashpur, Civil And Revenue District Jashpur (Chhattisgarh), Through Power Of Attorney Holder Shrutidhar Tripathi, S/o Shri Vidhyadhar Tripathi, Age 40 Years, R/o Rajhans Travels, Bus Stand, Pandri, Raipur, District Raipur (Chhattisgarh)

---- **Petitioner**

Vs

1. Regional Transport Authority Bilaspur Division Bilaspur, District Bilaspur, (Chhattisgarh)
2. Secretary, Regional Transport Authority, Bilspur, Division Bilaspur, District Bilaspur, (Chhattisgarh)

---- **Respondent**

For Petitioners	:	Shri Shailendra Kumar Bajpai, Advocate
For Respondents-State	:	Shri PK Bhaduri, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/12/2016

1. Learned counsel for the petitioners would submit that the application for grant of regular stage carriage permit preferred by each of the petitioner has been rejected without giving opportunity of hearing as envisaged under the

second proviso to sub-section (2) of Section 80 of the Motor Vehicle Act, 1988 for which the impugned order is vitiated being in violation of statutory provisions as also being in violation of principles of natural justice. He would refer to the order passed by this Court in similar matters in the matter of **Narendra Tiwari Vs. Regional Transport Authority And Anr.**(WPC No.99/14 decided on 21.03.2014) and **Smt.sita Soni Vs. Kshetriya Parivahan Pradhikar Bilaspur And Anr.** (WPC No.738/13 decided on 22.01.2015)

2. Learned State counsel would submit that the petitioner was afforded an opportunity of hearing before rejection of the application for grant of regular stage carriage permit, however, he would not dispute the orders passed in the above state two writ petitions.
3. The present matter appears to be similar to the one decided by this Court in the two earlier writ petitions referred above, therefore, the writ petitions are allowed. The impugned order is quashed and the matter is remitted back to the Regional Transport Authority for taking decision afresh, in accordance with law.
4. It is made clear that the RTA shall provide opportunity of hearing to the petitioners as well as to such objectors who have already preferred their objection against the petitioners' applications. Let the necessary exercise be completed within a period of two months from the date of submission of certified copy of this order.

Sd/-

Judge
Prashant Kumar Mishra

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