

(2013) 04 JH CK 0040

Jharkhand High Court

Case No: Writ Petition (C) . No. 6248 of 2012

Roshina Malto

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision: April 1, 2013

Citation: (2013) 3 AJR 65

Hon'ble Judges: Aparesh Kumar Singh, J

Bench: Single Bench

Advocate: Mitul Kumar, for the Appellant; Rajiv Anand, for the Respondent

Final Decision: Disposed Off

Judgement

@JUDGMENTTAG-ORDER

Aparesh Kumar Singh, J.

Heard counsel for the parties. Petitioner is seeking direction upon the State Transport Authority, Jharkhand (respondent No. 2) to issue permanent permit as has already been recommended in its meeting dated 21/22.9.2011 with respect to the petitioner for the route-Dumka to Raghunathganj, which is an Inter-State route.

2. Counsel for the petitioner has relied upon Annexure-2, minutes of the meeting held on 21/22.9.2011 before the State Transport Authority, in which according to the petitioner, her name is reflected at serial No. 39 and where against 2 applications petitioner's name was recommended for permanent permit.

3. Learned counsel, Mr. Rajiv Anand appears on behalf of other applicant, Mina Devi and submitted that the petitioner's application was subsequently withdrawn by way of an affidavit. Counsel for the petitioner, however objected to such contention that application made by the petitioner has been withdrawn by way of an affidavit.

4. Counsel for the respondent- State, on the other hand submitted that the matter may be looked into by the State Transport Authority itself in accordance with law after taking into account the contention of the petitioner or any other claim made by

any other applicant.

5. In the aforesaid facts, this Court does not intend to go into the merit of the controversy. It is primarily the State Transport Authority - Respondent No. 2, which is required to take decision in that regard. Accordingly, petitioner is allowed to approach the said respondent No. 2, State Transport Authority with a representation for consideration of her case for issuance of permanent permit together with all supporting facts and documents in respect of the route from Dumka to Raghunathganj within a period of 2 weeks. Further, it will be open for the other applicant also to make her representation before the respondent No. 2 within the aforesaid period itself. On receipt of such representation respondent No. 2 shall consider die matter in accordance with law after proper verification of records and pass a reasoned and speaking order in respect of the claim of the petitioner for issuance of such permit within a period of 4 weeks, thereafter. The writ petition is disposed of in the aforesaid terms.