



2026:CGHC:21771

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4090 of 2022

1 - M/s Chhabra Bus Service Through Partner Mahendra Singh Chhabra, S/o Late Shri Santosh Singh Chhabra, Aged About 67 Years, R/o - Ring Road, Namnakala, Ambikapur,, District : Surguja (Ambikapur), Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Transport Department, Indrawati Bhawan, New Mantralaya, Raipur, Chhattisgarh.

2 - State Transport Authority Of Chhattisgarh, Indrawati Bhawan, 3rd Floor, C Block, New Mantralaya, New Raipur, Chhattisgarh.

3 - Secretary, State Transport Authority Of Chhattisgarh, Indrawati Bhawan, 3rd Floor, C Block, New Mantralaya, New Raipur, Chhattisgarh.

4 - Satyanand Pandey, S/o Shri Suryamani Pandey, Bus Operator, R/o H. No. 140, Ward No. 28, Ektanagar,, District : Koriya (Baikunthpur), Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Mr. Anshul Ranjan Shrivastava, Advocate.
For Respondent(s)/State	:	Mr. S. S. Choubey, G.A.
For Respondent No. 4	:	Mr. B.L. Dembra, Advocate.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

08/05/2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

“10.1 That, this Hon'ble Court may kindly call for the entire record with respect to the case of the petitioner from respondent department.

10.2 That, the Hon'ble Court may kindly be pleased to set aside/quash the impugned order dated 14/07/2022 passed by the respondent no. 02 being illegal, and against the provisions of Law/reciprocal agreement.

10.3 That the Hon'ble Court may kindly be pleased to grant any other relief in favour of the petitioner which may deem fit in the interest of justice.”

2. Brief facts of the case, is that, the petitioner is a bus operator engaged in the transport business on the strength of permits granted by the competent Transport Authorities and is presently holding Interstate Regular Stage Carriage Permit No. CG/STA/152/2017 on the route Ambikapur to Ranchi via Rajpur, Balrampur, Ramanujganj, Ranka, Gadwa, Gadwa Road Station,

Padwamod, Daltenganj, Latehar and Kudu with one single trip daily; it is submitted that respondent No. 4 moved an application before the State Transport Authority, Chhattisgarh seeking grant of an interstate regular stage carriage permit on the route Ambikapur to Bhawnathpur via Rajpur, Balrampur, Ramanujganj, Ranka, Gadwa, Ramuna and Nagar with one return trip daily, whereafter the said application along with the proposed timetable was published in the official agenda inviting objections from existing route operators; according to the petitioner, during the hearing conducted by the State Transport Authority through video conferencing, objections were raised by the petitioner regarding clash of timing and violation of the terms and conditions contained in the reciprocal agreement executed between the States of Chhattisgarh and Jharkhand governing interstate transport permits; it is further submitted that thereafter respondent No. 4 submitted a revised timetable, which was again published for inviting objections, and the petitioner once again submitted detailed objections contending that the proposed timings were in violation of the reciprocal agreement and would result in direct clash with the petitioner's existing timings on the route in question; however, despite the objections raised by the petitioner, respondent No. 2 passed the impugned order dated 14.07.2022 granting interstate regular stage carriage permit in favour of respondent No. 4 for the route Ambikapur to Bhawnathpur for the period from 01.08.2022 to 31.07.2027; according to the petitioner,

the grant of permit is contrary to the provisions of the Motor Vehicles Act and the reciprocal agreement dated 28.03.2008 executed between the States of Chhattisgarh and Jharkhand, particularly Clause 10(Q) and Clause 10(M), which regulate the number of permissible trips and mandate overnight halt within the home State; it is specifically contended that the timing granted to respondent No. 4 directly clashes with the petitioner's existing timings at several stages including Gadwa, Ranka, Ramanujganj, Balrampur, Rajpur and Ambikapur, thereby adversely affecting the petitioner's transport operations and causing prejudice to his existing permit rights; hence, being aggrieved by the impugned order granting permit in favour of respondent No. 4, the petitioner has approached this Court by filing the present writ petition.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is an existing interstate stage carriage permit holder operating lawfully on the route Ambikapur to Ranchi and therefore has a legitimate right to raise objections against any subsequent permit granted in violation of the reciprocal agreement and statutory provisions governing interstate transport operations; it is contended that respondent No. 4 was granted interstate permit by the State Transport Authority without properly considering the objections submitted by the petitioner regarding timing clash and violation of the reciprocal agreement executed between the States of Chhattisgarh and Jharkhand; learned counsel submits that as per Clause 10(Q) of the reciprocal agreement, for routes

extending up to 250 kilometers only two single trips can be permitted, and under Clause 10(M), passenger vehicles making multiple trips are required to stay overnight within their own State, however, the timetable granted to respondent No. 4 clearly violates the said conditions and does not provide for any proper night halt either within the State of Chhattisgarh or the State of Jharkhand; it is further submitted that despite specifically pointing out these legal and factual infirmities before the State Transport Authority, the objections raised by the petitioner were mechanically rejected and the permit came to be granted in favour of respondent No. 4 in an arbitrary manner; learned counsel further submits that the timings granted to respondent No. 4 directly clash with the timings of the petitioner's existing service at several points on the route, thereby seriously affecting the petitioner's business interests and the orderly regulation of interstate transport services; accordingly, it is argued that the impugned order dated 14.07.2022 is contrary to the provisions of the Motor Vehicles Act, violative of the reciprocal agreement, arbitrary in nature, and therefore liable to be set aside by this Court.

4. On the other hand, learned counsel appearing on behalf of the respondents opposes the petition and submits that the impugned permit was granted by the State Transport Authority, Chhattisgarh strictly in accordance with law and after providing adequate opportunity of hearing to all concerned parties including the

present petitioner; it is submitted that the application submitted by respondent No. 4 was duly published inviting objections and the objections raised by the petitioner were duly considered before passing the impugned order; learned counsel further submits that the permit granted in favour of respondent No. 4 is subject to countersignature by the competent authority of the State of Jharkhand under Section 88 of the Motor Vehicles Act, and till date such countersignature has not been granted, therefore the permit has not yet attained operational validity for the interstate route and the present writ petition is premature in nature; it is also contended that the petitioner has an efficacious alternative statutory remedy of appeal under Section 89 of the Motor Vehicles Act before the State Transport Appellate Tribunal and therefore the writ petition itself is not maintainable; according to the State authorities, the State Transport Authority while discharging its quasi-judicial functions has acted within the scope of the reciprocal agreement and the statutory framework, and therefore no interference is warranted by this Hon'ble Court in exercise of its extraordinary writ jurisdiction.

5. I have heard learned counsel for the parties and perused the material available on record.
6. Considering the facts and circumstances of the case and further considering the submissions advanced by learned counsel for the parties, this Court is of the opinion that the impugned permit granted in favour of respondent No. 4 is still subject to

countersignature by the competent authority of the State of Jharkhand under Section 88 of the Motor Vehicles Act and admittedly such countersignature has not yet been granted. Further, the petitioner has an efficacious alternative statutory remedy available under Section 89 of the Motor Vehicles Act before the competent Appellate Tribunal for redressal of his grievances relating to grant of permit, timing clash, and alleged violation of the reciprocal agreement.

7. Accordingly, without expressing any opinion on the merits of the rival contentions raised by the parties, the present writ petition is **disposed of** with liberty reserved in favour of the petitioner to avail appropriate statutory remedy in accordance with law before the competent forum, if so advised.

Sd/-

(Amitendra Kishore Prasad)
Judge

Raghu Jat