



2026:CGHC:15351

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 4932 of 2021Sanjay Mishra **Versus** Secretary, Regional Transport Authority, Raipur

09.12.2021	Mr. Vipin Tiwari, Counsel for the Petitioner. Ms. Sameeksha Gupta, P.L., for the State. Heard on I.A. No.1, application for grant of interim relief. It is submitted by the learned counsel for the petitioner that the petitioner is the owner of stage carriage vehicle for which permit was granted to the petitioner by RTO, Bilaspur bearing stage carriage permit No.679/BTR/2016. As the petitioner intends to ply the vehicle in the region of other Regional Transport Officer, for which there is requirement under Section 88 of the Motor Vehicle Act, 1988, that the permit must be counter signed by the RTO of that region, therefore, the petitioner filed an application praying for counter sign of the RTO, Raipur. The prayer was rejected by the impugned order dated 12.10.2021 (Annexure P-1) by making reference to the notification dated 27.12.2019 according to which, the RTO Raipur has been made single Regional Transport Authority for the whole State. The appeal preferred before the State Transport Authority by the petitioner has subsequently got dismissed. It is prayed that until the decision of the present petition, the petitioner may be granted interim relief.



Learned State counsel appearing on behalf of respondents opposes the submissions and prays for time to file reply and seek instruction.

Considered on the submissions in the order dated 14.07.2021 passed in Writ Appeal No.190/2021, Sanjay Singh Vs. State of CG., it is mentioned that the question has been raised that subsequent to the issuance of notification dated 27.12.2019, RTO, Raipur has been made RTO for the whole State. Hence, the requirement of counter signature as provided under Section 88 of the Motor Vehicle Act, 1988 would survive or not. On this basis, the interim relief was granted to the petitioner in that case. Similar order has been passed by the Coordinate Bench of this Court in W.P.(C) No. 4908 of 2021 on 06.10.2021, hence considering that the question of law is pending for decision, before the Division Bench of this Court in the writ appeal mentioned here-in-above, therefore, the prayer for interim relief is allowed. It is ordered that the petitioner shall have permission to ply the vehicle on the basis of the permit issued to him by the RTO Bilaspur, until further orders, subject to compliance of provisions of law and rules as are applicable.

Learned State counsel prays time to file reply.

List this case along with WP(C) No. 4493 of 2021.

Sd/-

(P. Sam Koshy)
JUDGE