

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 4580 of 2025****SANDEEP JAISWAL *versus* THE STATE OF CHHATTISGARH****Order Sheet**

28/08/2025	Mr. Shailendra Kumar Bajpai and Mr. Subodh Pandey, Counsel for the petitioner. Mr. R. S. Marhas, Addl. A.G. for the State. Learned counsel for the petitioner submits that the petitioner is challenging the impugned order dated 17.06.2025 passed by Regional Transport Authority of C.G. which is against the provisions of Motor Vehicle Act and rule made there under and law laid down by Hon'ble High Court. The whole proceeding was done through online audio mode wherein it is evident that voice of the officer therein was not of the respondent no. 3 but it was the voice of respondent no. 4 Mr. K.K. Patel who is at present Joint Secretary Regional

	Transport Authority whereby he was not legally competent to hear the case. He further contends that the respondent no. 4 is not legally competent to hear the case. Hence, the impugned order is liable to be quashed. Learned State counsel contends that there is a provision of appeal under Section 89 of the Motor Vehicles Act, 1988, therefore, the present petition is not maintainable. In this regard, learned counsel for the petitioner contends that the impugned order is passed by the respondent no. 2 without jurisdiction and there is no provision under Section 89 of the Act, 1988 that an order is appealable if passed without jurisdiction. Therefore, the present petition is maintainable. Looking to the grievance of the petitioner, it would be appropriate to issue notices to the respondents. Heard on admission. Admit. Issue notice to the respondents, on payment of P.F., as per rules. Notice be made returnable within 4 weeks. List this case after complete service of notice upon the respondents. Sd/- (Arvind Kumar Verma) Judge
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