

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1547 OF 2011

Jai Cooperative Transport Society  
Limited, Abohar

Appellant(s)

Versus

The Presiding Officer, State Transport  
Appellate Tribunal and Others

Respondent(s)

O R D E R

Heard Mr. Narendera M. Sharma, learned counsel for the appellant. There is no appearance on behalf of the respondents.

It is submitted by Mr. Sharma, learned counsel for the appellant that the route permit that has been granted by the competent authority, which has been affirmed by the State Transport Appellate Tribunal (for short, 'the Tribunal') and further by the High Court, is erroneous inasmuch as the competent authority has really not scrutinized the eligibility criteria in proper perspective.

Ordinarily, we would have adverted to the same, however, in the course of hearing we have been apprised by Mr. Sharma that the respondent Nos.3 to 5, who had been granted the benefit of route permit, had sought curtailment of route, which was granted and, thereafter, transferred the route permit in favour of the cooperative Society, namely, Jhajjar Passenger Bus Service Private Limited. As the Society is not before us, we think it appropriate to grant

liberty to the appellant to challenge the same before the High Court. The High Court shall address the issue pertaining to transfer of the route permit and permissibility thereof. The High Court is requested to dispose of the writ petition, if it is filed within four weeks hence, within a span of six months. If for some reason or other, the original grantees do not appear before the High Court, there shall a paper publication and, thereafter, the High Court shall proceed in accordance with law.

Be it clarified that the impugned order shall not be an impediment in the deliniation of the fresh writ petition as the point raised before this Court specifically relates to transfer of grant of route permit by the original grantees.

The appeal stands disposed of accordingly. There shall be no order as to costs.

.....CJI.  
[Dipak Misra]

.....J.  
[A.M. Khanwilkar]

.....J.  
[Dr. D.Y. Chandrachud]

New Delhi,  
March 13, 2018.

ITEM NO.101

COURT NO.1

SECTION IV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.1547/2011

THE JAI COOPERATIVE TRPT. SOCIETY LTD.

Appellant(s)

VERSUS

THE STATE TRANSPORT APPELLATE TRIBUNAL

Respondent(s)

Date : 13-03-2018 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Appellant(s) Mr. Narendera M. Sharma, Adv.  
Mr. Abhishek Sharma, Adv.  
Mr. Rupesh Kumar, AOR

For Respondent(s) Mr. Karan Bharihoke, AOR (N/P)  
Mr. Atishi Dipankar, AOR (N/P)

UPON hearing the counsel the Court made the following  
O R D E R

The appeal is disposed of in terms of the signed  
order.

(Chetan Kumar)  
Court Master

(H.S. Parasher)  
Assistant Registrar  
(Signed order is placed on the file)