

Moolchand Thakur Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Oct-12-2012

Appellant : Moolchand Thakur

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Ashish Rawat

Judgement :

Writ Petition No.15669/12.

12.10.2012 Shri Ashish Rawat, learned counsel for the petitioner.

Shri Vivek Sharma, learned P.L.for the State.

Heard on the question of admission.

The petitioner has filed this petition under Article 226 of the Constitution of India, for issuing the appropriate writ in the nature of Mandamus restraining the respondents no.3 to grant further temporary permit to the respondent no.4 on the route Pindrai to Mandia via Nainpur just ahead 5 minutes from the regular permit of the petitioner of the same route.

In addition to it, the prayer for appropriate direction to the respondent no.3 to afford an opportunity of hearing to the petitioner before granting further temporary permit to the respondent no.4 on the above said route is also made.

After taking me through the papers placed on the record, petitioners counsel by referring the copy of the order dated 11.9.2006 passed by the Co.ordinate Bench of this Court in Writ Petition NO.7564/2006, has made his limited prayer to dispose of this petition with the same terms on which the case of the petitioner of cited case was disposed of.

The State counsel did not have any objection in disposing of the petition in such a manner.

The co-ordinate Bench of this Court has disposed of the aforesaid writ petition no.7564/2006, vide order dated 11.9.2006 with the following observations.

As this petition is rendered infructuous, no further directions are needed in this petition.

However, it is observed that in case any such prayer is made by respondent no.4 for grant of permanent permit, petitioner may object to the aforesaid prayer and if any such objection is raised by the petitioner, the concerned Regional Transport Authority, shall hear and decide the objection raised by the petitioner, if any.

With the aforesaid this petition stands finally disposed of with no order as to costs.

On consideration, by allowing the aforesaid limited prayer of the petitioners counsel, this petition is hereby disposed of on the same terms on which the co-ordinate Bench of this Court has disposed of the aforesaid writ petition no.7564/06.

Besides this, the petitioner is extended a liberty to file any other

JUDGMENT / ORDER

of the apex Court or of some other Court before the authority which is relevant with the subject matter, but such authority shall consider the same in accordance with the procedure prescribed under the law.

Certified copy as per rules.

(U.C.Maheshwari) Judge Pb

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