



**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

BEFORE

**HON'BLE SHRI JUSTICE G. S. AHLUWALIA
ON THE 23rd OF AUGUST, 2024**

WRIT PETITION No. 21472 of 2024

SANJAY SHIVHARE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Subodh Kumar Pandey – Advocate for the petitioner.

Shri Veer Vikrant Singh – Dy. AG for the respondents / State.

ORDER

This petition under Article 226 of the Constitution of India has been filed seeking the following reliefs :-

- (i) Allow the petition and to issue a writ of mandamus directing the respondent no.1 to appoint Regional Deputy Transport Commissioner of Bhopal Region as per Section 68 of the Motor Vehicles Act, 1988.
- (ii) Allow the petition and to issue a writ of mandamus directing the respondent no. 3 to decide the petitioner's application for grant of regular permit (Annexure-P/1) on the route Harda to Bhopal on his vehicle bearing registration number MP05PA-0339.

2. It is submitted by counsel for the petitioner that by order dated 16.8.2024 Regional Deputy Transport Commissioner, Indore has been given additional charge of Regional Deputy Transport Commissioner of all the concerned division and, therefore, now, the application filed by the



petitioner for grant of regular stage carriage permit can be considered. Accordingly, in the light of order dated 16.8.2024, petitioner seeks permission of this Court to withdraw this petition.

3. Considered the submissions made by counsel for the petitioner.
4. Counsel for the petitioner has provided a copy of order dated 16.8.2024 which reads as under :-

मध्य प्रदेश शासन
परिवहन विभाग
मंत्रालय, भवन भोपाल,
आदेश

भोपाल, दिनांक 16 अगस्त 2024

क्रमांक १२५२/1763/2022/आठ राज्य शानन एतदद्वारा प्रशासकीय कार्य सुविधा की दृष्टि में श्री राजेश राठौड़, संभागीय उप परिवहन आयुक्त, इंदौर को अपने कार्य के साथ-साथ प्रदेश के शेष 09 संभागों के संभागीय उप परिवहन आयुक्त का अतिरिक्त प्रभार अस्थाई रूप से आगामी आदेश तक सौंपा जाता है।

2/ अतः राज्य शासन एतदद्वारा केन्द्रीय मोटरयान अधिनियम, 1988 (1988 का 59) की धारा 68 की उपधारा (1) सहपठित उपधारा (2) के द्वितीय परंतुक द्वारा प्रदत्त शक्तियों को प्रयोग में लाते हुए भी राजेश राठौड़ को प्रदेश के समस्त संभाग के क्षेत्रिय परिवहन प्राधिकार को शक्तियों एवं कर्तव्यों का निष्पादन करने के लिए प्राधिकृत किया जाता है।

यह आदेश तत्काल प्रभाव से लागू होगा।

मध्यप्रदेश के राज्यपाल के नाम से
तथा आदेशानुसार

(सिवी चक्रवर्ती)
सचिव

मध्यप्रदेश शासन, परिवहन विभाग

पृष्ठा. क्रमांक 1२५3/1763/2022/आठ भोपाल, दिनांक 16 अगस्त 2024



5. Since the competent authority has been appointed / posted who can consider the application for grant of regular stage carriage permit, therefore, this petition is **disposed of** with a direction to RTA / Regional Deputy Transport Commissioner to decide pending application within a period of 30 days from the date of production of certified copy of this order.

(G. S. AHLUWALIA)
JUDGE

JP