

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

WP No. 17863 of 2025

(JITENDRA KUMAR SHARMA Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 20-05-2025

Shri K.C.Ghildiyal - Senior Advocate with Shri Aditya Singh Thakur -
Advocate for the petitioner.

Shri Abhishek Singh - Government Advocate for the respondent/State.

Issue notice to the respondents on payment of process fee within seven working days by RAD mode, failing which this petition shall stand dismissed without further reference to the Court.

In pursuance to the order dated 19.05.2025, State counsel has placed before this Court certain documents to show that it was not the petitioner who has issued the permit and fitness certificate to the bus involved in the case which was found plying without fitness certificate and without the permit. However, the documents shows that the bus in question which met with an accident was having a valid permit from 11.12.2021 to 12.12.2026 issued by the predecessor of the petitioner that is R.T.O., Sanjay Tiwari and the fitness of the vehicle in question was from 07.11.2023 to 28.11.2024. Under these circumstances, how the petitioner can be held responsible. If the vehicle has met with an accident, it is the owner's responsibility to check everything and get it verified from the R.T.O. department. Petitioner has not issued any document regarding fitness or permit to the vehicle in question.

Under these circumstances, the effect and operation of the order impugned is directed to be stayed till the next date of hearing.

Ms. Tanishka Ajmani, learned counsel appears and requests the Court to permit her to file intervention application. However, there is no requirement for getting any permission from the Court for filing any intervention application. She is free to file any application. It is for the Court to examine the same whether her intervention application can be allowed or not.

State counsel is directed to place these documents on record along with the covering memo and is further directed to file response to the petition within four weeks.

The respondents are directed to permit the petitioner to work on the previous post which he was holding.

(VISHAL MISHRA)
JUDGE

AM