

BEFORE THE DIRECTOR OF TRANSPORT & APPELLATE  
AUTHORITY FIRST FLOOR, JUNTA HOUSE AT PANAJI

Appeal No.3/2017 3836

Shri Vishal Gajanan Naik,  
H.No.128/1, Sancoale, Cortalim,  
Goa -- 403710

..... Appellanti

V/s.

1. Shri Francisc Vaz,  
Motor Vehicles Inspector  
Office of the Asstt. Director of Transport, North-Panaji  
K.T.C. Terminal,  
Panaji-Goa.

2. Shri Cordeiro  
Motor Vehicles Inspector  
Office of the Asstt. Director of Transport, North-Panaji  
K.T.C. Terminal,  
Panaji-Goa.

..... Respondents

ORDER

Heard the Appellant in person. Respondent No.1 and 2 were present. Before going into the merits of the case, it is noted that the Appellant has preferred this appeal under Section (2) of Section 17 of the Central Motor Vehicles Act, 1988. The Section provides ground for appeal " if the person is aggrieved by Order made under Section 1 of Section 17.

However, it is noted that in the instant case, the following observations has been recorded by the Motor Vehicles Inspector and Respondent No.2 on the receipt dated 10-05-2017.

*"Candidate approached for test with M.V. bearing no. GA071K 9476. The same was found without dual control. Hence the candidate was requested to give the test on dual control fitted M.V. The M.V. produced for test was in the name of Vijaya Naik and not on his personal name."*

Thus no order have been passed by the Licensing Authority & Assistant Director of Transport (N), Panaji refusing or revoking driving licence.


It is therefore evident that the applications for issue of Driving Licence has not been disposed off by the Assistant Director of Transport & Licensing Authority (N), Panaji-Goa.

It is therefore directed that the Licensing Authority & Assistant Director of Transport (N), Panaji may take appropriate decision and pass orders within a period of seven days from the date of this order.

The Appellant is granted liberty to prefer an appeal under Section 17 (2) if he aggrieved by the order of the Licensing Authority. While passing an appropriate order, the Licensing Authority & Assistant Director of Transport(N), Panaji, may consider the ground raised by the Appellant in his Appeal.

The matter is therefore remanded to Licensing Authority and Assistant Director of Transport(N), Panaji-Goa for further needful at his end.

Given under my hand and seal of this office on this 06<sup>th</sup> day of October, 2017.

  
~~Director of Transport &  
Appellate Authority  
Panaji-Goa~~  
(Nikhil Desai)

To

1. Shri Vishal Gajanan Naik, H.No.128/1, Sarcoale, Cortalim, Goa. 403710.
2. Shri Francisc Vaz, Motor Vehicles Inspector, Office of the Assst. Director of Transport, North-Panaji, K.T.C. Terminal, Panaji-Goa.
3. Shri Cedric Cordeiro, Motor Vehicles Inspector, Office of the Assst. Director of Transport, North-Panaji, K.T.C. Terminal, Panaji-Goa.
4. The Assistant Director of Transport and Licensing Authority(N), Panaji-Goa.