



**In the First-tier Tribunal
(General Regulatory Chamber)
Transport**

Before: **District Judge Moan**

Appellant: **Valentin Muresan**

Respondent: **DVSA**

Case Management Directions

(The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009)

The documents and information submitted by the parties have been reviewed. In order that the Tribunal can decide the case, the parties must follow the directions below.

It is recorded that:

1. The DVSA wrote to the Appellant and the Tribunal on 27th August 2024 in the following terms:

Regulation 14(b) of the Motor Cars (Driving Instruction) Regulations 2005 stipulates that a trainee licence remains in force for 2 years after passing the Part 1 test.

As you passed the part 1 test on 06 June 2022, this has now expired; you will not be able to book any further part 3 tests as you are not eligible. Therefore, any continuing rights were revoked on 08 July 2024. It is now illegal for you to give any further instruction for payment.

Our records show that you are making an appeal with the General Regulatory Chamber (GRC). If you would like a refund of the fee paid you should contact the GRC at GRC@justice.gov.uk within 14 days of the date of this letter to withdraw your appeal quoting your reference D/2024/XX. An appeal withdrawn after this date would forfeit any refund due to you.

Once GRC have confirmed to DVSA that you have withdrawn your appeal we will refund the fee to the card you paid on.

Should you fail to withdraw the appeal, the Registrar will request that the Tribunal to consider striking out this appeal under rule 8 (3) (c) of the Tribunal's Rules, on the basis that it had no reasonable prospects of success.

2. In the light of that correspondence the Tribunal issued an order dated 18th September 2024 asked the Appellant to respond to the strike out application or withdraw his appeal.
3. The Appellant has already been advised by the DVSA that he has not been allowed to give further instruction for payment as from 8th July 2024.
4. The Appellant has not specifically responded to the issue that the Regulations prohibit him taking a further Part 3 test. An extension of time to undertake his Part 3 test is not within the gift of the DVSA or the Tribunal. The two year period is fixed by law.

It is ORDERED THAT:

5. The appeal is struck out as having no reasonable prospects of success.

Signed: District Judge Moan sitting as First-Tier Tribunal Judge Moan

Date: 26th November 2024