

Court No. - 3

Case :- WRIT - C No. - 4759 of 2015

Petitioner :- Prem Shankar Dixit

Respondent :- State Of U.P. Thru. Secy. Deptt. Of Transport And 2 Ors.

Counsel for Petitioner :- Ghaus Beg

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard Sri Ghaus Beg, learned counsel for the petitioner and learned Standing Counsel for the State.

Present writ petition has been preferred by the petitioner seeking direction to declare sub-Rule 4, 9 & 10 of Rule 22 of U.P. Motor Vehicles Taxation Rules, 1998 as ultra vires to Section 12(2) of U.P Motor Vehicles Taxation Act, 1997.

While making submission, counsel for the petitioner states that he is not making any prayer with regard to sub-Rule 10 and his prayers are only with regard to sub Rule 4 & 9 of Rule 22 of the aforesaid Rules of 1998 by which the said Rules are already upheld by this Court by its judgment and order dated 30.10.2012 passed in Misc. Bench No. 8392 of 2012 (Smt. Shaheen Khan vs. State of U.P. and Ors.)

Hence, the controversy is already concluded with the aforesaid judgment as such this Court is not inclined to interfere in this writ petition.

If view thereof, we find no force in the present writ petition.

Writ petition is dismissed.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 3.11.2023

Nitesh