



CGHC010156722023



2026:CGHC:39039

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 2211 of 2023**

Upendra Narayan Singh Prop. Ganpati Motors S/o Shri Ramjit Singh
Aged About 49 Years R/o Main Road Yadunandan Nagar, Tifra, Bilaspur,
District : Bilaspur, Chhattisgarh

--- Petitioner(s)**versus**

1 - The State Of Chhattisgarh Through The Secretary, Department Of
Transport, Mahanadi Bhawan, Mantralaya, Naya Raipur, District : Raipur,
Chhattisgarh

2 - The Deputy Secretary Department Of Transport, Mahanadi Bhawan,
Mantralaya, Naya Raipur, District : Raipur, Chhattisgarh

3 - The Transport Commissioner Chhattisgarh, Raipur, District : Raipur,
Chhattisgarh

4 - The Regional Transport Officer Bilaspur, District : Bilaspur,
Chhattisgarh

--- Respondent(s)**WPC No. 2215 of 2023**

Anand Gupta Proprietor- Anand Auto Deal And Shubham Properties,
Aged About 50 Years, S/o Shri Narmada Prasad Gupta, 15/2021, Ward-
15, Near Tarbahar Railway Fatak, Bilaspur, District : Bilaspur,
Chhattisgarh.

---Petitioner(s)**Versus**

1 - The State Of Chhattisgarh Through The Secretary, Department Of
Transport Mahanadi Bhawan, Mantralaya, Naya Raipur, District : Raipur,
Chhattisgarh

2 - The Deputy Secretary Department Of Transport, Mahanadi Bhawan,
Mantralaya, Naya Raipur, District : Raipur, Chhattisgarh

3 - The Transport Commissioner Chhattisgarh Raipur, District : Raipur, Chhattisgarh

4 - The Regional Transport Officer Bilaspur, District : Bilaspur, Chhattisgarh

--- Respondent(s)

WPC No. 2309 of 2023

1 - Rajkumar Dwivedi President- Nyaydhani Auto Resellers Sangh, Proprietor Shivraj Auto Deal, Aged - About 50 Years, S/o Late. B. P. Dwivedi, R/o Sahgal Gali Vidyanagar, Bilaspur, District : Bilaspur, Chhattisgarh

2 - Santosh Kumar Nishad Prop. Car Relation Auto Deal Aged 40 Years S/o Jharihar Nishad R/o Near Railway Fatak, Devrikhurd, Bilaspur, District- Bilaspur, Chhattisgarh.

3 - Abhishek Sultaniya Prop. Anushree Auto Heavy Vehicle Dealer, S/o Powan Sultaniya Age- 44 Years R/o Near Gayatri Mandir, Vinoba Nagar, Bilaspur

4 - Avinash Kumar Prasad Proprietor New Balaji Resellers Aged About 50 Years, S/o Rajkumar Prasad R/o 27 Kholi Vikasnagar, Bilaspur

5 - Firoz Siddiqui Prop. Siddiqui Auto Finance Aged 50 Years S/o Shamshul Haque R/o I Ind Floor D/2, Shree Ram Tower Bilaspur

6 - Deepak Kesharwani Prop. Krishna Sales S/o Mohan Lal Kesharwani Age- 37 Years R/o Near Munnulal School, Gondpara, Bilaspur

7 - Moh. Sharik Husain Proprietor Universal Motors, Aged About 43 Years, S/o Shaukat Husain R/o Idgah Chauk, Bilaspur

8 - Jharihar Nishad Prop. Car Relation Auto Mal Aged 58 Years S/o Shankar Nishad R/o Nishad Mohalla, Mahmand Bilaspur

9 - Ankit Upadhyay Prop. Ankit Motors S/o Ashok Upadhyay Age - 44 Years R/o Milan Chauk, Kududand, Bilaspur

10 - Prakash Chandra Agrawal Proprietor Om Sai Autodeal Aged About 59 Years, S/o Banshi Dhar Agrawal R/o Behind Jivaji Rice Mill, Kududand, Bilaspur

11 - Vasim Khan Prop. Vasim Motors Aged 35 Years S/o Abdul Wahid R/o Link Road, Chandwabhata Bilaspur

12 - Pradip Kaiwartya Prop. Car Planet S/o Rameshwar Prasad Kaiwartya Age - 38 Years R/o Near Sharda Gas, Kapil Nagar, Bilaspur

13 - Sushil Pathak Prop. Shivani Motors Aged 51 Years S/o R. P. Pathak
R/o Gondpara, Bilaspur

14 - Nitin Nair Prop. Sai Baba Motors S/o Late Raman Nair Age- 44 Years
R/o Ganga Nagar, Face I I, Mangla Bilaspur

---**Petitioner(s)**

Versus

1 - The State Of Chhattisgarh Through The Secretary, Department Of
Transport, Mahanadi Bhawan, Mantralay, Naya Raipur, District : Raipur,
Chhattisgarh

2 - The Deputy Secretary Department Of Transport, Mahanadi Bhawan,
Mantralay, Naya Raipur, District : Raipur, Chhattisgarh

3 - The Transport Commissioner Chhattisgarh, Raipur, District : Raipur,
Chhattisgarh

4 - The Regional Transport Officer Bilaspur, District : Bilaspur,
Chhattisgarh.

... **Respondents**

For the Petitioners : Mr. Raj Kumar Gupta, Advocate.

For the State : Mr. SS Choubey, GA

Hon'ble Mr. Amitendra Kishore Prasad, Judge

Order on Board

03.09.2026

1. By way of above writ petitions, the petitioners have challenged the impugned order dated 21.03.2023 issued by the Deputy Secretary, Department of Transport, whereby the auto dealers engaged in the business of sale and purchase of used vehicles have been directed to furnish a bank guarantee for registration of their business as an "Auto Dealer."
2. For ready reference, relevant portion of the reply filed by the State is reproduced hereinbelow:

“5. It is most respectfully submitted that the answering respondents most respectfully submits that they will not press upon the impugned order dated 21/03/2023 (Annexure-P-1) and therefore to that extent the instant writ petition filed by the petitioner deserves to be dismissed having become infructuous.

3. Learned counsel appearing for the petitioners submits that in view of paragraph -5 of the reply filed by the respondent-State, above writ petitions may be disposed of with a direction that since the rules have not yet been framed, the concerned respondent -authorities may be directed not to take any action against the petitioners unless and until the rules are framed.
4. Learned State Counsel submits that no action shall be taken against the petitioners unless and until the rules are framed; any action in this regard can be taken only in accordance with the rules so framed. After the rules come into force, the respondent-authorities shall take appropriate action against the petitioners in accordance therewith. He further submits that process of framing the rules is underway, as a Gazette Notification inviting objections has already been notified and published on 01.06.2026.
5. Heard learned counsel for the parties and perused the writ petitions, including the reply filed by the State.
6. Having regard to the aforesaid facts and circumstances of the case, particularly the fact that a notification inviting objections has already been issued, the above writ petitions are hereby disposed of. However,

the petitioners will be at liberty to approach the concerned authorities and submit their objections in response to the said notification.

CC as per rules.

Sd/-
(Amitendra Kishore Prasad)
Judge

J.