

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLN. (W) NO.1479 OF 2015
IN
WRIT PETITION NO. 6533 OF 2014 (D)

Anil Dharamraj Kataria

-vs-

State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.N.C.Phadnis, counsel for the petitioner.
Mr.N.R.Patil, AGP for the respondents-State.

CORAM : SMT.VASANTI A. NAIK &
A.M.BADAR, JJ.

DATE : 23.07.2015.

While passing the order, dated 29/06/2015 in Writ Petition No.6533 of 2014, we had believed that only the application of the petitioner for grant of fitness certificate of the six seater auto rickshaw operated by the petitioner was rejected. A reading of our order, dated 29/06/2015 would also depict the said fact. The entire order mentions about the rejection of the application of only petitioner-Anil Kataria. Now we find on a reading of the application and Annexure-A to the petition, which was not pointed out to us on the date on which we decided the writ petition on 29/06/2015 that our order, dated 29/06/2015 is assumed to apply to all the auto rickshaw owners mentioned at Annexure-A.

We, therefore, clarify that our order, dated 29/06/2015 would operate only in respect of Shri Anil Kataria's vehicle and not in respect of the vehicles of the

other auto rickshaw owners whose names find place in Annexure-A of the petition. The petition would not have been entertained for the other auto rickshaw owners at the behest of Shri Anil Kataria. The petition is found to have been filed by Anil Kataria in his personal capacity and not as an office bearer of a registered association. In view of the aforesaid, we clarify that our order, dated 29/06/2015 is restricted only to the vehicle owned by Shri Anil Kataria. The respondents are directed to take a note of this position. Since Shri Anil Kataria's vehicle is already inspected, the civil application stands disposed of, as rejected.

JUDGE**JUDGE**