

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.2273 OF 2014

(Ankur Seeds Private Ltd. and others vs. Union of India and others)

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

CORAM : B.P. DHARMADHIKARI AND
KUM. INDIRA JAIN, JJ.

DATED : JUNE 23, 2016

We have heard Adv. Kilor with Adv. Tejas Kene for petitioners, Adv. Kathane for respondent nos.2 to 4 and Senior Adv. Manohar with Adv. Naik for respondent no.5. There is no appearance for respondent no.1 Union of India.

It appears that initially effort was to have the grievance considered in public interest. Thereafter petition is being pressed as a writ petition. Petitioner no.1 is a Company formed under the Companies Act, 1956. Petitioner nos.2 to 6 are Gram Panchayats constituted under Bombay Village Panchayats Act, 1950. They have chosen to approach this Court through their Sarpanchs.

Grievance of petitioners is that though vehicles of petitioner no.1 and all residents of

respective Gram Panchayats fall under the term “Local Personal Traffic” or “Local Commercial Traffic”, their vehicles are not being registered.

Adv. Kilor for petitioners during arguments has invited our attention to certain proceedings presided over by Collector of the District.

We are not ready and willing to consider the hypothetical challenge. The petitioners have not pointed out to this Court any specific instance in which a resident approached respondent no.5 for registration of vehicle and that application was not entertained or rejected.

During arguments, Adv. Kilor submitted that respondent no.5 is not even accepting such applications.

Learned Senior Adv. Manohar appearing for respondent no.5 has denied the statement. According to him, no such applications are received by respondent no.5.

In this situation, we are not required to go into any disputed question. We grant petitioner no.1 and residents within area of respondent nos.2 to 6 leave to submit their applications to respondent no.5 with necessary proof. If such applications are received by respondent no.5, respondent no.5 shall

take suitable decision upon the same at the earliest.

With the above directions and keeping all rival contentions open, we dispose of the petition. No costs.

JUDGE

JUDGE

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