

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.964 OF 2018

Eknath Sawaikar ... Petitioner

Versus

State of Goa & Ors. Respondents

Mr. R. Menezes, Advocate for the Petitioner.

Mr. A. Jamadar, Additional Government Advocate for the State.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 30 October 2018.

P.C. :

By this petition, the Petitioner has sought the following relief.

“That by any appropriate writ, order or direction under Article 226 of the Constitution, this Hon'ble Court be pleased to direct and command the Respondents, to withdraw the registration of the 'Tata Xenon Crew Cab' or Xenon CC 4x2 OL4 SPTC CF' of the Petitioner, as a goods vehicle/good carriage, in the class of light goods vehicle, and to register the same as a light motor vehicle, for non-commercial personal use.”

2. The competent Authority for the relief sought by the Petitioner would be the Road Transport Authority. As regards the change of registration and withdrawal of the registration inasmuch as the classification is concerned, the Authority will have to follow the procedure as laid down in law. Only indulgence we can extend to the Petitioner is that instead of filing another application again, the Authority will treat the petition as a representation of the Petitioner, and take the necessary decision thereupon. The learned Additional Government Advocate, on instructions from Mr. Madan Fatarpekar, Assistant Director and Mr. Srinivas Kamat Mhamal, Motor Vehicle Inspector, states that the Authority will take necessary decision within a period of four weeks from today. The statement made on instructions is accepted. The writ petition is accordingly disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.