

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2940 of 2018**

M/s. New Babra Transport, through Partner Shri Trilochan Singh Babra, aged about 52 years, R/o Babra Transport, Ring Road, Namnakala, Ambikapur, District Surguja, Chhattisgarh.

---- Petitioners

Versus

1. Union of India, through Secretary, Ministry of Road Transport, Government of India, New Delhi.
2. State of Chhattisgarh, Through Transport Commissioner, Department of Transport, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
3. Regional Transport Officer, Ambikapur, Surguja, Chhattisgarh.

---- Respondents

For Petitioners : Shri Anshul R. Shrivastava, Advocate.

For Respondent No. 1 : Shri B. Gopa Kumar, Assistant Solicitor General.

For Respondent/State : Shri Gagan Tiwari, Deputy Government Advocate.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board**Per P.R. Ramachandra Menon, Chief Justice****22/01/2020**

1. The Petitioner has moved this Court with the following prayers:

"10.1 It is, therefore prayed by appropriate writ, order or direction notification dated 29.12.2016 may kindly be struck down to the extent which amend Rule 32 and Rule 81 of the Central Motor Vehicle Rules, 1989 which imposed additional fee and to this extent same declared void and be struck down.

10.2 Cost of this writ petition may kindly be awarded in favour of the Petitioner.

10.3 Any other relief which the Hon'ble Court may deems fit and proper may also be granted in favour of the petitioner.

10.4 Any other appropriate direction or order which this Hon'ble Court deems fit in the facts and circumstances of the case may kindly be granted."

2. Heard the learned counsel for the Petitioner as well as the learned counsel for the Respondents.
3. When the matter is taken up for consideration, it is brought to the notice of this Court that exactly similar matter has already been considered and decided by this Court as per the judgment dated 30.11.2018 passed in Writ Petition (C) No. 841 of 2018 and other connected cases, which apparently is not in favour of the Appellant herein.
4. In view of the turn of events, we do not find it necessary to go into the merits of the case and this writ petition is also disposed of in terms of the judgment dated 30.11.2018 passed in Writ Petition (C) No. 841 of 2018 and other connected cases.

Sd/-
(P.R. Ramachandra Menon)
CHIEF JUSTICE

Sd/-
(Parth Prateem Sahu)
JUDGE