

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1729 OF 2021

**ANIL BALKISAN MANIYAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Dipesh D. Pande
AGP for Respondents – State : Mr. A. R. Kale
...

**CORAM : S. V. GANGAPURWALA AND
R. N. LADDHA, JJ.**

DATE : 15TH SEPTEMBER, 2021

PER COURT :

1. The learned counsel for petitioner submits that the petitioner specialises in R.T.O. work. The respondents have restricted the entry of the petitioner. The respondents be directed to allow the petitioner to enter into the premises of respondent No.4 office and carry out work on behalf of his master, on the basis of the authority letter.

2. Mr. Kale, learned AGP submits that if the petitioner has a letter of authority from owner then the petitioner is not precluded, but he cannot, without an authority letter of the owner, roam around in the premises of the R.T.O. Office.

3. The affidavit is filed by the Deputy Regional Transport Office, Jalgaon. Paragraph No.2 of the affidavit reads thus :

"2. I say that, the instant petition is filed for seeking directions to allow the Petitioner to enter into the

office premises of the Respondent No.4 and carry out work on behalf of its masters on their authority. In this regard, the deponent explicitly state that, the entry of the Petitioner is not restricted in the premises of the office of the deponent provided that the Petitioner should carry the letter of authority issued by the owner of the particular vehicle to do the specific work on his behalf in view of the order passed in Writ Petition No.2065 of 1987, by the Division Bench of The High Court of Judicature of Bombay, Bench at Nagpur in Shri. NarendrakumarHiralalNashine & others V/s State of Maharashtra & others and also in pursuance of the order passed by this Hon'ble Court on 13/02/2015 in Writ Petition No.1246 of 2015. But, the letter of authority does not confer any legitimate right on the Petitioner to stay in the R.T.O. Office for entire day and do the business which is unintended. The Petitioner and others have no legal status to perform the activities in the R.T.O. office. Therefore, the Deponent need no comments to offer in respect of rest of other contentions raised in the instant petition."

4. The affidavit clearly states that the petitioner is not restricted in the premises of the office of deponent, provided that the petitioner should carry a letter of authority issued by the owner of the particular vehicle to do the specific work on his behalf.
5. In view of that, the grievance of the petitioner stands redressed.
6. Writ petition is accordingly disposed of. No costs.

(R. N. LADDHA, J.)

(S. V. GANGAPURWALA, J.)