

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9886 of 2019

Arbind Kumar Singh @ Arbind Singh Son of Ram Balak Singh, Ward No. 25,
Bihat Nagar Parishad, Imbraham Pool, P.S. Begusarai, District- Begusarai.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Department of Road Transport and Highways, Transport Bhawan, I, Parliament Street, New Delhi.
2. The State of Bihar through Principal Secretary, Department of Transport, Govt. of Bihar, Patna.
3. The Joint Secretary, Department of Road Transport, Govt. of India, New Delhi.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 18528 of 2018

1. Bus Bahan Sangh, Begusarai, with its office at Bus Stand Begusarai, P.O. + P.S.- Begusarai, District-Begusarai, through its president Sudhir Prasad Singh @ Sudhir Kishore Pd Singh.
2. Ram Sevak Singh, son of Sri Rambalak Singh, Vill- Behat, P.S.- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Department of Road Transport & Highways, Transport Bhawan, 1 Parliament Street, New Delhi, PIN-110001
2. The Joint Secretary, Department of Road Transport, Govt. of India, New Delhi, PIN- 110001
3. The State of Bihar through Principal Secretary, Department of Transport, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 9886 of 2019)

For the Petitioner/s :

For the Respondent/s : Mr.Lalit Kishore, AG
Mr. Kumar Priya Ranjan, CGC

(In Civil Writ Jurisdiction Case No. 18528 of 2018)

For the Petitioner/s :

For the Respondent/s : Mr. Lalit Kishore -AG
Mr. Kumar Priya Ranjan, CGC

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR



ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

7 12-07-2022 Petitioners have prayed for the following relief(s):-

1. That this is an application to declare Ultravires part portion of the notification at page 10 Item No. 11 of the said notification dated 29.12.2016, inserting sub Rule 2 in Rule 62 of the Central Motor Vehicle Rule-1989, published in the India Gazette (Extra ordinary), dt- 29.12.2016, whereby and whereas the Govt of India modified in Central Motor vehicle Rule 62 (2) imposing a fee of Rs. 50.00 in guise of penalty each day in between the expiry of the last certificate of fitness day to the day granted or renewed the next fitness by the Motor vehicle Inspector or the Testing Station under section 56 of the Motor Vehicle Act 1988.

Despite repeated calls, none has entered appearance on behalf of the petitioner.

As such, the petitions stand dismissed for default.

(Sanjay Karol, CJ)

(S. Kumar, J)

P.K.P./Amrendra

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