

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.1455 OF 2013

Amit S/o Shyamkant Kaloti, Gandhi Chowk, Amravati and ors.

-vs-

State of Maharashtra, Thr. Secretary, Ministry of Road Transport & Highways, Mantralaya,
Mumbai and ors.

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

Court's or Judge's Orders.

Shri R. G. Kavimandan, Advocate for petitioners.
Shri D. P. Thakare, Additional Government Pleader for respondent
Nos. 1 to 3.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.
DATE : September 26, 2022

The challenge raised in this writ petition is to the notification dated 26/01/2013 issued in exercise of powers under Section 33 (1)(B) of the Maharashtra Police Act, 1951 as well as Section 115 of the Motor Vehicles Act, 1988. By that notification prior permission of the Police Commissioner was required to be obtained for plying of private and luxury vehicles in the city.

Shri R. G. Kavimandan, learned counsel for the petitioners submits that necessary instructions with regard to the recent developments after filing of the writ petition have not been rendered by the petitioners. He however has invited attention to the interim order dated 07/05/2013 by which the petitioners were required to seek approval of the route in

advance from the office of the Police Commissioner (Traffic Control Branch) as and when they desired to operate the Contract Carriage Permit within the city. It has been directed that the said office shall consider and decide the application within minimum time and in any case on the same day.

In view of aforesaid as no instructions have been rendered to the learned counsel, the writ petition is disposed of in terms of paragraph 4 of the interim order dated 07/05/2013. The challenge as raised is kept open for being considered in appropriate proceedings, if raised.

Rule is discharged in aforesaid terms with no order as to costs.

(Urmila Joshi-Phalke, J.)

(A. S. Chandurkar, J.)

Asmita