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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21467-2021(O&M)

Date of Decision:08.03.2022

DARSHAN SINGH

.....Petitioner

Vs

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.Balraj Singh, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this writ petition for issuance of an appropriate writ, order, direction, especially in the nature of certiorari for quashing the order dated 01.10.2021, passed by respondent No.3.

On 26.10.2021, notice of motion was issued by passing the following order:-

“Learned counsel for the petitioner contends that notification dated 29.12.2016 amending Rule 32 and Rule 81 of the Central Motor Vehicles Rules to the extent of imposing additional fee was declared void and were struck down by Division Bench of Madras High Court. SLP is pending in the Hon'ble Supreme Court in which no stay has been granted so far. The judgment of the Division Bench of Madras High Court has been followed by this Court in CWP No.5373 of

2020 titled Rajinder Parshad Vs. State of Haryana and Others, decided on 17.02.2021.

Notice of motion for 15.12.2021.

On asking of the Court, Ms.Simran Grewal, AAG, Punjab accepts notice on behalf of the respondents and seeks time to file status report.”

Today, learned State counsel on instructions from Law Officer Sukhjit Singh Pasricha, Transport Department submits that in view of the above judgments, it has been decided that all kinds of additional fees mentioned in Rule 32 and 81 of Central Motor Vehicle Rules, 1989 in pursuance of notification No.G.S.R 1183(E) dated 29.12.2016 issued by Ministry of Road Transport and Highways shall not be levied in the State of Punjab. This decision is however subject to the final outcome in SLP (Civil) No.23648 of 2017 pending in the Hon'ble Supreme Court of India.

In view of the statement made by learned State counsel this writ petition is disposed of, as such at this stage.

08.03.2022

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No