

[Neutral Citation No.2023:PHHC:071649]

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**COC-1355-2022 (O&M)
Date of decision: 17.05.2023**

Institute of Road Safety**...Petitioner**

Versus

Navdeep Virk and others**...Respondents****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Ms. Aashna Aggarwal, Advocate
for the petitioner.

Mr. P. K. Longia, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner is alleging violation of the order dated 05.07.2022, passed by this Court in CWP-13853-2022, vide which, the following order was passed:

“Learned senior counsel for the petitioner contends that the petitioner was granted licence for conducting one day refresher course for renewal of HMV/LTV driving licence and stall test training for learners licence at Karnal and Hisar. Petitioner has fulfilled all the necessary requirements in terms of Section 12 of Motor Vehicle Act read with Rules 27 and 31 of the Central Motor Vehicles Rules, 1989. Rule 24 of the aforesaid Rules of 1989 provides for establishment of driving school for imparting instructions in driving motor vehicles. Rule 25 provides for duration of a licence and renewal thereof. The aforesaid permission was granted to the petitioner after complying with the necessary requirements under the statute. Respondent-State vide order dated 17.03.2021 passed a general order deciding that IDTRs have been established for the purpose of providing training on a standardized with government approval and it defeats the purpose to allow

[Neutral Citation No.2023:PHHC:071649]

proliferation of institution without any assessment of infrastructure, course content etc. The direction was issued to all the District Transport Officer-cum-Secretary, Regional Transport Authority, Karnal to withdraw permission granted to private agencies like the petitioner. In respect of institutions of the petitioner at Karnal and Hisar, petitioner filed CWP No.6812 of 2021 and the same was allowed thereby directing the respondent- District Transport Officer-cum-Secretary, Regional Transport Authority to pass fresh order after granting reasonable opportunity of hearing to the petitioner. Thereafter, the impugned order came to be passed.

Learned senior counsel further contends that the impugned order has been passed by presuming that the permission was granted to the petitioner only during COVID period, whereas the permission was granted to the petitioner under the rules.

Notice of motion for 22.08.2022.

Till the next date of hearing, implementation of the impugned order shall remain in abeyance.”

Learned counsel for the petitioner submits that on similar ground, the necessary compliance was made by the Licensing Authority, Karnal under the Central Motor Vehicles Rules, 1989, however, the present contempt petition has been filed against the authorities at Hisar as the order was not complied with.

Learned State counsel has filed the affidavit of the District Transport Officer-cum-Secretary, Regional Transport Authority, Hisar, vide which, it is stated that the complaint given to the Superintendent of Police, Hisar, against the petitioner/Institute, stands withdrawn on 19.07.2022.

In view of the same, learned counsel for the petitioner submits that this petition may be rendered infructuous as the respondents have given undertaking to abide by the interim order dated 05.07.2022 during the

[Neutral Citation No.2023:PHHC:071649]

pendency of the writ petition.

Accordingly, the present petition is rendered infructuous.

Rule stands discharged.

17.05.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>