



\$~47

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 16227/2023**

NANDKISHORE GUPTA & ORS.

..... Petitioners

Through: Mr. Sanjeev Ralli, Sr. Advocate with
Mr. Mohit Mudgal, Mr. Chetanya
Baweja, Mr. Shubham Yadav and Mr.
Ravi Kant Yadav, Advocates.

versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Anupam, Srivastava, ASC for
GNCTD with Mr. Deepak Jain,
Advocates for R-1 to 3.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

29.04.2024

%

1. The Petitioner has approached this Court with the following prayers:

“(a) Pass directions to the Respondents to hand-over the additional charge of the State Transport Appellate Tribunal (STAT) under the Motor Vehicles Act, 1988 to the Presiding Officer of the Delhi School Tribunal (DST) with immediate effect in a timebound manner;”

2. Apropos the Order passed by this Court on 15.01.2024, learned Counsel for the Respondent has handed over a communication dated 12.04.2024, by the Secretary, State Transport Appellate Tribunal and the same reads as under:

“Sub: Appointment of Presiding Officer, State Transport Appellate Tribunal (STAT).



Sir/Madam,

This is in connection with the matter under consideration is appointment of Presiding Officer, State Transport Appellate Tribunal (STAT) under Section 89 of Motor Vehicles Act, 1988 to hear an appeal in the matter connected with Chapter V of the Motor Vehicles Act, 1988 related to issuance and grant of various types of permit to the commercial vehicles duly registered by the Registering Authority within the jurisdiction of Govt. of NCT of Delhi.

The procedure of appointment of Presiding Officer, State Transport Appellate Tribunal (STAT) stipulates in Sub Section 2 and 3 of Section 89 of the Motor Vehicles Act, 1988, therefore, accordingly, the matter was routed through the Law and Justice Department, Govt. of NCT of Delhi to Hon'ble Lt. Governor, Delhi for seeking the approval of appointment of Presiding Officer, State Transport Appellate Tribunal (STAT). The Hon'ble Lt. Governor, Delhi after considering all the facts as adduced either by the Transport Department, GNCTD, Law and Justice Department, GNCTD and concluding remarks of the worthy Chief Secretary, Delhi, has approved the work of Presiding Officer, State Transport Appellate Tribunal (STAT) may be assigned to the Principal Secretary (Law), Law and Justice Department, Govt. of NCT of Delhi, ex-offitio, in addition to his own work, with the approval of Hon'ble President of India in terms of Section 45 D (a) of GNCTD Act, 1991.

Therefore, in view of above facts, I am directed to convey the approval of Hon'ble Lt. Governor, Delhi for further concurrence of Hon'ble President of India in terms of Section 45 D (a) of GNCTD Act, 1991 along with the detailed facts of the matter which is annexed



herewith at Annexure A. You are requested to facilitate the approval of the Hon'ble President of India under the relevant provisions of law as being Nodal Agency under the Transaction of Business of the Government of National Capital Territory of Delhi Rules, 1993.”

3. In view of the above, the grievance of the Petitioner no longer survives.
4. It is expected that STAT will start functioning soon and consequential orders will be passed at the earliest.
5. The Writ Petition is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

APRIL 29, 2024

Rahul