HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 17625/2024

1. Bhawani S/o Sh. Mula, Aged About 69 Years, R/o Chhatripura, Tehsil Hindaun, District Karauli (Raj.). (Registered Owner Of Vehicle No. Rj34C0147).
2. Bhupendra Singh S/o Ram Khiladi, R/o Karwad Meena, Tehsil Hindaun, Karauli (Raj.). (Registered Owner Of Vehicle No.rj23Ub0873).
3. Dhodi Bai W/o Rohitash Meena, R/o Lalpur, Hadiya, Mahwa, Karauli (Raj.). (Registered Owner Of Vehicle No. Rj29Ua3172).
4. Mukesh Chand Meena S/o Hindoniya Meena, R/o Mohanpura, Palanheda, Mahuwa, Dausa, At Preset Todabhim, Karauli (Raj.). (Registered Owner Of Vehicle No.rj29Ua2995).
5. Prem Singh Jatav S/o Sirmohar, R/o Danalpur, Tehsil Hindaun, Karauli (Raj.). (Registered Owner Of Vehicle No.rj29U0187).
6. Usman S/o Jamiluddin, R/o Nadi Darwaja Ke Pass, Tehsil Karauli (Raj.). (Registered Owner Of Vehicle No.rj14Ub3022).
7. Sh. Shankar Lal Sharma S/o Sh. Mal Chand Sharma, R/o W.no.10, Sujangarh, Churu (Raj.). (Registered Owner Of Vehicle No.rj10Ga7876).
8. Vijay Patil S/o Sambha Ji Raw, R/o D/3, Hiran Magri, Sec.5, Door Sanchar Colony, Udaipur (Raj.). (Registered Owner Of Vehicle No.rj27U0531).
9. Rup Ram S/o Ramu Ram, R/o W No Naiyasar, Tehsil Rawtsar, Hanumangarh (Raj.). (Registered Owner Of Vehicle No.rj31Ga4025).
10. Bhura Ram S/o Sahab Ram, R/o W.no.12, Mirzewali Mer 12 Ag Tibbi Hanumangarh (Raj.). (Registered Owner Of Vehicle No.rj31Ua2032).
11. Naresh Kumar S/o Sadhu Ram, R/o W.no.44, Kumhar Mohalla, Sriganganagar (Raj.). (Registered Owner Of Vehicle No.rj13Gb2882).
12. Prakash S/o Kundan Lal, R/o 4 Tk 5 Tk, Ganganagar (Raj.). (Registered Owner Of Vehicle No.rj13Ua6362).

13. Jai Salasar Bharat Gas, Through Proprietor Sunita Periwal W/o Ashish Periwal, R/o 1/2 Tah Bazar, New Dhan Mandi, Gharsana, Sri Ganga Nagar (Raj.). (Registered Owner Of Vehicle No.rj13Gb7156).

----Petitioners

Versus

1. Union Of India, Through Secretary To Government, Ministry Of Road Transport And Highways, Transport Bhawan, 1 Sansad Marg, Gokul Nagar Connaught Place, New Delhi.
2. State Of Rajasthan, Through Principal Secretary Transport Department, Parivahan Bhawan, Sahkar Marg, Jaipur.
3. Commissioner Of Transports Transport Department, Parivahan Bhawan, Sahkar Marg, Jaipur.
4. District Transport Officer, Karauli, District Karauli.
5. District Transport Officer, Sriganganagar, District Sriganganagar.
6. District Transport Officer, Sujangarh, District Churu.
7. District Transport Officer, Churu, District Churu.
8. District Transport Officer, Hanumangarh, District Hanumangarh.
9. District Transport Officer, Udaipur, District Udaipur.

----Respondents

For Petitioner(s)	:	Ms. Rajani Vyas
For Respondent(s)	:	Mr. Nrip Raj Singh for Mr. S.S. Naruka, AAG Mr. C.S. Sinha & Mr. Rajat Sharma for Mr. R.D. Rastogi, ASG

HON'BLE MR. JUSTICE PANKAJ BHANDARI
HON'BLE MRS. JUSTICE SHUBHA MEHTA

Order

20/12/2024

1. The writ petition seeks to challenge the validity of note appended to Serial No.11A of Rule 81 of the Central Motor Vehicles Rules, 1989, as amended vide notification dated 04.10.2021.

2. This Court at Jaipur Bench in the case of **Shyam Prakash Meena & Ors. vs. Union of India & Ors.[D.B. Civil Writ Petition No.14258/2024 and other connected writ petitions decided on 19.12.2024]** has allowed the writ petitions and declared the above note as *ultra vires* Section 64(o) read with Section 211 of the Motor Vehicles Act, 1988 as also inoperative in law.

3. Accordingly, the writ petition is also allowed in the terms of decision rendered by this Court at Jaipur Bench in the case of Shyam Prakash Meena(supra). In the matter of consideration of application for renewal of fitness certificate filed by the petitioners, the respondents shall not levy any additional fee for each day of delay after expiry of validity period of fitness certificate. We make it clear that no other issue has been considered and the petition is being allowed only in the manner and to the extent as stated above.

(SHUBHA MEHTA),J (PANKAJ BHANDARI),J

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