

18.12.2025

Item No. 24

Crt.No.10

b.r.

WPA 27969 of 2025

Pubang Etron Electric Motor Pvt. Ltd.

-vs-

The State of West Bengal & Ors.

Mr. Sunil Gupta

.... For the petitioner.

Mr. Pantu Deb Roy, Ld. AGP

Mr. Pannalal Bandyopadhyay

... for the State.

1. Parties are represented through their respective learned counsels.
2. Affidavit of service filed in Court today, is taken on record.
3. The petitioner claim to be the manufacturers and selling of battery operated vehicles. They are aggrieved by the non-issuance of certificate of registration in respect of vehicles (e-rickshaws) manufactured by the petitioner no.1.
4. The petitioner prays, inter alia, the following reliefs:-

“a) A writ of and/or in the nature of Mandamus and/or order or orders and/or direction or directions of like nature do issue commanding the concerned Respondent Authorities to forthwith cancel, set aside, rescind and quash and/or withdraw the impugned Memorandum dated 13th January 2022, 13th July 2022 and 6th September, 2024

being annexures “P/3, “P/8”and “P/13”respectively; Or alternatively insert modify the impugned notification dated 6th September, 2024 being annexures “P/13”hereto by incorporating name of your petitioner as approved manufacturer of e-Rickshaw eligible for registration at different Regional Transport Authority across West Bengal.

b) A writ of and/or in the nature of Mandamus and/or order or orders and/or direction or directions of like nature do issue commanding the concerned Respondent Authorities to direct all the Regional Transport Offices situated in the State of West Bengal to issue certificate of registration for e-Rickshaws filled with lead acid batteries manufactured by the petitioner as per Rule 126 of the Central Motor Vehicles Rules, 1989.

c) A writ and/or in the nature of Prohibition and/or order or orders and/or direction or directions of like nature do issue prohibiting the respondent authorities from refusing to grant registration certificates to the electric vehicles manufactured by the petitioner Company.

d) A writ of and/or in the nature of Certiorari commanding the respondent authorities to forthwith transmit the records pertaining to instant proceedings before this Hon’ble Court’;

e) An order of injunction do issue restraining respondent authorities and/or their men or agents from giving effect to and/or further effect to the impugned Memorandum dated 13th January 2022, 13th July 2022 and 6th September 2024 issued by the Transport Directorate Govt. of West Bengal.”

5. Main grievance of the petitioner is the refusal on the part of the respondents to grant registrations of electric vehicles including e-Rickshaws manufactured and/or sold by the petitioner.
6. Petitioner’s vehicle can be considered in the following category, that is, lead acid battery. The petitioner has enclosed a certificate to that effect in the writ petition.
7. The petitioner is fitted with lead acid batteries specially manufactured for such electric e-vehicles.
8. The Additional Director, Transport Directorate vide Memo dated January 13,2022 requested the RTOs/ARTOs to follow the restraining direction of the Hon’ble High Court in connection with the registration of battery operated eco-friendly e-rickshaws until any further order is received from any other competent Court of law. 3. By a further Memo date July 13, 2022 the Special Secretary,

Transport Department has requested the Director, Transport Directorate 2 to provide necessary instruction to the Registering Authority to take necessary action in compliance of the order dated June 3, 2022 in terms of Notification No. 612-WT/3-09/2013 dated February 25, 2013 and the terms and conditions as specified in the certificate as issued by the Certification Authority CAT.

9. The registering authority is, accordingly, directed to act strictly in terms of the direction passed by the Court and register the e-rickshaws/e-vehicles provided the vehicles are different and distinct from the category forming subject matter of the title suit pending before the learned Additional District Judge, 13th Court, Alipore and subject to the compliance of Rules 126 of the Central Motor Vehicles Rules, 1989 and all other formalities prescribed under the governing Act/Rules by the petitioners.
10. The writ petition stands disposed of.
11. Since no affidavit has been called for, allegations contained in the writ petition are deemed not to have been admitted by the respondents.

12. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
13. Certified copy of this order, if applied for, shall be made available to the parties.
14. With the above observations and direction, the writ petition, WPA 27969 of 2025 stands disposed of, without any order as to costs.
15. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Smita Das De, J.)