

14.01.2025.
PB
Sl. No.2.
Ct. No.25.

WPA 29154 of 2024

TVISI Electric Pvt. Ltd. & Ors.
Vs.
The State of West Bengal & Ors.

Mr. N. I. Khan,
Mr. Amlan Kr. Mukherjee.
.....for the petitioners.

Mr. Sankar Nath Mujkherjee,
Mr. Niraj Gupta,
Ms. Manisha Paswan.
.....for the respondent no.6.

Mr. Pantu Deb Roy,
Mr. Pannalal Bandopadhyay.
.....for the State.

In this writ petition, the petitioners have challenged the notifications restraining registration of the e-vehicles. The petitioner is the manufacturer of e-two wheeler vehicles.

According to the respondent no.6, there would not have been any cause of action for the writ petitioners in this case to challenge the impugned notifications or to seek similar orders, as have been passed earlier in other cases, involving registration of e-vehicles/e-rickshaws.

According to the respondent no.6, the writ petitioner would not have any cause of action in the present case and the present writ petition is premature being filed only on the basis of

apprehension. It is stated that no infringement of the legal right of the writ petitioners has been pleaded in the present case.

It appears that the impugned notifications are with respect to restriction to grant registration to the e-vehicles/e-rickshaws.

It is further noted that previously also, by dint of the order dated August 9, 2024, in WPA 20541 of 2024, the Court has dealt with similar issue, thereby directing the Transport Directorate to take steps for grant of registration to the e-vehicles manufactured by the petitioner.

The Court finds no reason to differ from the decision as made in the said case. Hence, the present case is being disposed of with the similar direction as follows:-

Hence, the writ petition is disposed of with the direction upon the Transport Directorate, Government of West Bengal being the respondent no.3 to issue necessary direction upon the concerned regional transport offices to grant registration to the e-vehicles manufactured by the petitioners subject to the said vehicles being different and distinct from the category forming subject matter of the title suit pending before the learned Additional District Judge, 13th Court, Alipore, and also subject to compliance with Rule 126 of the Central Motor Vehicles Rules, 1989 and all other formalities prescribed under the Act/Rules by the

petitioners and also upon consideration of relevant documents to be placed by the petitioners before the authority.

The registering authority shall be at liberty to consider all relevant material regarding the pending proceedings in the title suit no.27 of 2018, at the time of registration of the petitioner's e-vehicles.

The entire exercise should be completed within two months from the date of communication of this order.

With the above observations and directions, the writ petition being WPA 29154 of 2024 is disposed of.

Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.

Urgent certified photocopy of this order, if applied for, shall be provided to the parties, upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)