

OD-2

ORDER SHEET

WPO/1184/2024
IA NO: GA/1/2025
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

CITY SUBURBAN BUS SERVICE & ORS.
-VS-
UNION OF INDIA & ORS.

BEFORE:
The Hon'ble JUSTICE RAI CHATTOPADHYAY
Date :14th November, 2025.

Appearance:
Mr. Sankar Nath Mukherjee, Adv.
Mr. Niraj Gupta, Adv.
Ms. Tiyasa Das, Adv.
...for the Petitioners.

Mr. Sanjit Kr. Ghosh, Adv.
Ms. Sumita Sarkar, Adv.
...for UOI

Mr. Paritosh Sinha, Adv.
Mr. Arindam Mandal, Adv.
...for the State of West Bengal.

Mr. Debashis Saha, Adv.
Mr. B. Roy, Adv.
...for the Added Respondent.

The Court:- This is an application being GA/1/2025 by the intending intervenors, seeking to be added as parties in the instant writ petition.

Let the applicants therein be added as party respondents in the instant writ petition.

Let amended writ petition incorporating the added respondents as party respondents therein be filed by the petitioners.

During course of hearing of this writ petition, the respondent authority has come up with a draft notification in terms of Central Motor Vehicle Rules, 1989 read with notification No. GSR881(E) dated 26.11.2019 by MoRTH. The terms thereof are as follows:

- “1.The stage carriage buses registered in KMA only shall be allowed to ply beyond 15 years of age from the day of initial registration;
2. The vehicle fitness and pollution levels of the stage carriage buses are to be checked bi-annually as the vehicle attains the age of 15 years from the date of initial registration;
3. The Certificate of Fitness shall only be granted in terms of Section 56 of the MV Act, 1988 where the emission level remains below the level, notified by the MoRTH in their notification No.GSR881 (E) dated 26.11.2019 read with Rule 115 of CMV Rules 1989.
4. This will be applicable for both petrol and diesel driven stage carriage buses.
5. Application for Certificate of Fitness of any vehicle shall be submitted before the Additional Director (Kolkata Zone) for the vehicles registered in Kolkata Zone and the District Magistrate and Chairman, Regional Transport Authority (RTA) for the districts falling in KMA;
6. The Certificate of fitness (CF) and the Pollution Under Control Certificate (PUCC) shall be issued to them after the issuance of such a reasoned order subject to the compliance of the formalities provided in MV Act, 1988, CMVR, 1989 and the WBMV, 1989.”

In view of the draft notification as above, the petitioners' grievances are found to have been mitigated. Therefore, there is no scope for any further adjudication in the instant writ petition.

It is, however, mentioned that the respondent authority is at liberty to publish the draft notification as submitted in Court today at the earliest point of time.

The writ petition is disposed of. The application being GA/1/2025 also stands disposed of.

Copy of the draft notification filed in Court today is taken on record.

(RAI CHATTOPADHYAY, J.)