

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.13974 OF 2025

Nishant Navnath Kekan

... Petitioner

Versus

The State of Maharashtra & Anr.

... Respondents

Ms. A. P. Madhuri a/w Mr. Tanmay Mishra and Mr. Gaurang
Pendurkar for the Petitioner

Mrs. M. S. Bane, A.G.P for the Respondents-State

***CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
THURSDAY, 6th NOVEMBER 2025***

P.C :

1 Heard learned counsel for the parties.

2 By this petition, the petitioner seeks a direction to the
respondent No.2 to release the petitioner's vehicle, which is an
ambulance bearing Registration No. MH-46-AH-7272.

3 Perused the petition. It appears that the petitioner
has been providing ambulance services in Raigad since 2016. It

further appears that the petitioner's vehicle i.e. the ambulance bearing Registration No.MH-46-AH-7272, came to be seized by the R.T.O, Andheri, Mumbai, as it was found plying contrary to the judgments of this Court.

4 It is not in dispute that the Division Bench of this Court, on 3rd March 2004, in Writ Petition No. 1762/2009, issued a direction to phase out eight-year-old transport vehicles from the city of Mumbai, unless the same were converted to run either on CNG or LPG. A direction was also issued in the said order that if, in breach of the direction, any vehicle was found plying within the limits of Mumbai, the same shall be immediately impounded by the Regional Transport Office or by the traffic police. Admittedly, the petitioner's vehicle is more than 8 years old and was found plying within the city limits of Mumbai.

5 Learned counsel for the petitioner has tendered an

undertaking of the petitioner dated 3rd November 2025. In the said undertaking, the petitioner has undertaken to this Court not to ply the vehicle within the local limits of Mumbai and that he would ply the vehicle only outside the city limits. The said affidavit-cum-undertaking is accepted as an undertaking to this Court.

6 In view of the aforesaid, we deem it appropriate to direct the release of the petitioner's vehicle bearing registration No.MH-46-AH-7272, subject to the condition that the petitioner deposits a sum of Rs.5,000/- (Rupees Five Thousand only) with the concerned Regional Transport Office.

7 The said vehicle to be released on the petitioner producing receipt of such payment.

8 Petition is accordingly allowed and disposed of on the aforesaid terms.

9 All concerned to act on the authenticated copy of this
Order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.