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HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Reserved on : 09.09.2026

Order Delivered on : 06.10.2026

WPC No. 2706 of 2022

Savitri Venture Project (OPC) Private Limited Through Its Director Surendra Kumar Agrawal S/o Late Chandmal Agrawal Aged About 64 Years, R/o 10 Krishna Vihar Raigarh Tahsil And, District : Raigarh, Chhattisgarh

--- **Petitioner**

versus

1 - State Of Chhattisgarh Raigarh, Near Mini Stadium, Raigarh, Tahsil And, District : Raipur, Chhattisgarh

2 - The Assistant Transport Commissioner (Technical) Indrawati Bhawan, Third Floor, C - Block, Atal Nagar Raipur, District : Raipur, Chhattisgarh

3 - The District Transport Officer Raigarh, Near Mini Stadium, Raigarh, Tahsil And, District : Raigarh, Chhattisgarh

--- **Respondents**

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Abhishek Saraf, Advocate
For State/Respondents	:	Mr. Rajkumar Gupta, Additional Advocate General

Hon'ble Shri Amitendra Kishore Prasad, Judge

CAV Order

1. Heard Mr. Abhishek Saraf, learned counsel for the petitioner as well as Mr. Rajkumar Gupta, learned Additional Advocate General, appearing for the State/respondents.

2. The petitioner, by filing the present writ petition calls in question the inaction on the part of the respondent authorities in issuing permanent registration certificates in respect of two loaders bearing chassis Nos. CLG00836VHL000310 and CLG00836CHL000315, despite the petitioner having purchased the said vehicles, paid the requisite lifetime tax and completed the necessary formalities for registration. The petitioner, therefore, seeks a direction to the respondent authorities to issue the permanent registration certificates of the aforesaid vehicles and to permit the petitioner to use the vehicles pending such registration. The petitioner has sought for following reliefs:-

> "*10.1 That, the Hon'ble Court may kindly be disposed off the matter by issuing the directions/orders to the respondent's authority for issuance of the permanent Registration Certificates of both the Vehicles/Loaders (vide its chassis No. CLG00836VHL000310 & CLG00836CHL000315) within period of 15 days from the date of order or before 30-06-2022.*
>
> *10.2 That, this Hon'ble Court may kindly be pleased to issue direction to the respondents authority to consider and petitioner be allowed to continue with the registration number of the Vehicles as already mentioned in Tax Receipt issued by the Chhattisgarh Transport Department.*
>
> *10.3 Any other relief which this Hon'ble Court*

may deem fit and proper in favour of the petitioner may kindly be passed."

3. Brief facts of the case, are that the petitioner is the Director of Savitri Venture Projects (OPC) Private Limited, carrying on transport business at Raigarh. An agreement to sell dated 19.09.2019 was executed between Shri Pariyojna Nirmaan Private Limited and the petitioner, pursuant to which the petitioner purchased two loaders bearing chassis Nos. CLG00836VHL000310 and CLG00836CHL000315, purchased on 10.05.2019 and 27.07.2019 respectively. The petitioner claims ownership and possession of the aforesaid vehicles pursuant to the said agreement to sell and has also deposited the requisite lifetime transport tax as well as the charges towards hypothecation endorsement and smart card in respect of both the vehicles.

4. Despite completion of the aforesaid formalities, permanent registration numbers were not issued to the vehicles. The transport authorities themselves, while issuing the tax receipts, have mentioned the respective chassis numbers in place of the registration numbers. The District Transport Officer, Raigarh, initially addressed a communication dated 10.10.2019 to the Assistant Transport Commissioner (Technical), seeking permission regarding registration/use of the vehicles on the basis of the ORG receipt and specifically recording that the lifetime tax had already been paid. Since no decision was taken, a reminder was issued on 16.02.2022. Thereafter, the District Transport Officer again

addressed letter No.323/2022 dated 17.05.2022 to the competent authority, pursuant to which the office of the Commissioner of Transport, on 25.05.2022, sought necessary guidelines from the National Informatics Centre regarding registration of the vehicles. However, the issue remained unresolved.

5. In the meantime, the petitioner had been required to submit the registration certificates of the aforesaid loaders to JSPL, Raigarh. The petitioner accordingly submitted three representations between 21.03.2022 and 31.05.2022 requesting further time on account of the delay on the part of the transport authorities in issuing the registration certificates. JSPL granted time up to 30.06.2022 for submission of the registration documents. As the registration of both the vehicles had still not been completed, the petitioner approached this Court seeking appropriate directions to the respondent authorities for issuance of the permanent registration certificates.

6. Mr. Abhishek Saraf, learned counsel appearing for the petitioner, submits that there is no dispute with regard to the petitioner's ownership and possession of the two loaders and that the petitioner has already complied with the requisite statutory and departmental formalities. He submits that the lifetime tax in respect of both the vehicles has already been paid and the necessary hypothecation endorsement and smart card charges have also been deposited. Despite the same, the respondent authorities

have failed to issue the permanent registration certificates, for which no reason has been communicated to the petitioner.

7. Learned counsel further submits that the conduct of the respondent authorities themselves demonstrates that the petitioner was entitled to have the vehicles registered. He refers to the communication dated 10.10.2019 issued by the District Transport Officer, Raigarh, to the Assistant Transport Commissioner (Technical), followed by the reminder dated 16.02.2022, wherein the authorities specifically sought permission/guidelines for registration of the vehicles while recording that the lifetime tax had already been paid. He submits that the subsequent communication dated 17.05.2022 and the letter dated 25.05.2022 addressed by the office of the Commissioner of Transport to the National Informatics Centre further establish that the matter was pending only at the departmental level and that the petitioner was not responsible for the delay. It is further submitted that the petitioner cannot be made to suffer on account of inter-departmental correspondence or the failure of the authorities to obtain appropriate technical or administrative guidelines. He submits that the chassis numbers of the vehicles have themselves been accepted and mentioned by the Transport Department in the tax receipts in place of registration numbers. Thus, the identity of the vehicles and the payment of the requisite tax are not in dispute and there was no justification for withholding the registration certificates indefinitely.

8. Learned counsel also submits that the delay has caused serious prejudice to the petitioner in carrying on his transport business. The petitioner was required to furnish the registration certificates to JSPL, Raigarh, and had repeatedly requested the said company for extension of time. Though JSPL granted time up to 30.06.2022, the petitioner could not furnish the registration certificates solely because the respondent authorities had failed to complete the registration process. It is submitted that the petitioner ought not to be deprived of the benefit of using the vehicles or suffer financial loss for a lapse which is entirely attributable to the respondent authorities.

9. Lastly, learned counsel submits that the continued inaction of the respondent authorities, despite repeated representations and communications from their own subordinate officers, is arbitrary and unreasonable. It is therefore prayed that this Court may direct the competent transport authority to forthwith complete the registration process and issue permanent registration certificates in respect of both the loaders bearing chassis Nos. CLG00836VHL000310 and CLG00836CHL000315, or pass such other appropriate order as may be deemed just and proper in the facts of the case.

10. Per contra, Mr. Rajkumar Gupta, learned Additional Advocate General appearing for the State/respondent authorities, while opposing the writ petition, submits that the petitioner has failed to

establish any enforceable right warranting issuance of a writ of mandamus. He submits that the vehicles in question were originally brought from Dhar, Madhya Pradesh, and temporary registration was issued in the year 2017, with the lifetime tax having been paid at Raigarh up to 31.07.2017. However, at the relevant point of time, the registration process was being undertaken through the Vahan-2 offline system and, after payment of the requisite fees, it was incumbent upon the vehicle owner to produce the receipts and relevant documents before the concerned Transport Office for making the necessary entry. The original owner, namely, Pariyojna Nirman Private Limited, failed to submit the requisite documents before the concerned Transport Office and, consequently, the registration process remained incomplete.

11. Learned Additional Advocate General further submits that subsequently, in the year 2018, the Vahan-4 online system was introduced in place of the Vahan-2 offline system. An opportunity was given to the vehicle owners whose payments/entries had not been updated in the Vahan-2 system to get the same updated in the Vahan-4 system by following the prescribed procedure and within the stipulated period ending on 31.12.2018. Despite such opportunity, the then owner, Pariyojna Nirman Private Limited, did not approach the concerned Transport Office or produce the requisite documents for completion/updation of the registration process. It is therefore submitted that the failure to complete the

registration of the vehicles during the relevant period was attributable to the earlier owner and not to the respondent authorities.

12. Learned Additional Advocate General submits that thereafter, pursuant to the agreement to sell dated 19.09.2019, the vehicles were transferred by Pariyojna Nirman Private Limited in favour of the petitioner. When the petitioner approached the District Transport Office for completing the registration and transfer process, an attempt was made to carry out the backlog entry in the Vahan-4 system. However, since the vehicles had not been duly registered in the earlier Vahan-2 system, the Vahan-4 system did not permit such backlog entry. The petitioner, therefore, addressed a communication dated 10.10.2019 to the Assistant Transport Commissioner (Technical) seeking permission for entry of the ORG receipts relating to the vehicles. Learned counsel submits that the authorities thereafter took steps at their level and, vide communication dated 23.07.2021, the Additional Transport Commissioner requested the Senior Technical Director, NIC, to make available an option in the Vahan-4 system for entry of receipts/challans which had been paid through the erstwhile Vahan-2 system. Thus, according to learned counsel, the respondent authorities have throughout taken steps to resolve the difficulty faced by the petitioner. He further submits that when the petitioner again approached the District Transport Office in the year 2022 for backlog entry, the Vahan-4 system once again did

not permit completion of the registration process. Consequently, the District Transport Officer, Raigarh, addressed a communication dated 16.02.2022 to the Assistant Transport Commissioner, followed by a further communication dated 17.05.2022, bringing to the notice of the competent authority the difficulty encountered during the backlog entry. The system-generated message specifically indicated that the State Transport Department was not authorised to process the registration application in respect of a vehicle conforming to Bharat Stage-III emission norms and having engine power exceeding 37 KW, and directed the applicant to approach the concerned Registering Authority. Learned counsel submits that the aforesaid message is generated automatically by the Vahan-4 system and the State authorities have no independent control over the technical restrictions incorporated therein. The matter was accordingly placed before the Transport Commissioner and, after approval, was forwarded to NIC for facilitating the backlog entry; however, NIC expressed its inability to process the registration in view of the vehicle being Bharat Stage-III compliant and having engine power exceeding 37 KW.

13. Learned Additional Advocate General, therefore, submits that the respondents cannot be faulted for the non-registration of the vehicles, particularly when the original owner failed to complete the registration process during the period when the Vahan-2 system was operational and, subsequently, the Vahan-4 system does not permit the requisite backlog entry on account of the

technical restrictions applicable to the vehicles. He submits that the petitioner acquired the vehicles only pursuant to the agreement to sell dated 19.09.2019 and, therefore, cannot seek to attribute the entire delay to the respondent authorities. It is further submitted that the departmental communications relied upon by the petitioner themselves demonstrate that the authorities have made continuous efforts to resolve the issue by seeking appropriate instructions from the competent authorities and NIC. Thus, there is neither arbitrariness nor deliberate inaction on the part of the respondents warranting interference under Article 226 of the Constitution of India.

14. Learned Additional Advocate General lastly submits that the petitioner has failed to establish infringement of any legally enforceable right by the respondent authorities and, in the absence of such right, no writ of mandamus can be issued merely on the ground that the petitioner has paid the requisite tax or has entered into an agreement to purchase the vehicles. He submits that the difficulty in registration is essentially attributable to the manner in which the registration process remained incomplete under the erstwhile Vahan-2 system and the subsequent technical restrictions in the Vahan-4 system. The writ petition, therefore, being devoid of merit, deserves to be dismissed.

15. By filing a rejoinder, Mr. Abhishek Saraf, learned counsel appearing for the petitioner, submits that the allegations and

averments made by the respondents in their return, insofar as they are adverse to the petitioner, are denied. He submits that even in the entire return, the respondents have nowhere disputed the petitioner's entitlement to registration of the two vehicles, but have only referred to certain technical difficulties in completing the registration process. According to learned counsel, the petitioner cannot be deprived of registration merely on account of technical difficulties attributable to the departmental software or internal process, particularly when the requisite lifetime tax, hypothecation endorsement and smart card charges have already been paid and the respondent authorities themselves have repeatedly corresponded for facilitating registration of the vehicles. He further submits that the petitioner has suffered prejudice on account of the continued non-registration and has been compelled to seek repeated extensions from JSPL, Raigarh. Learned counsel places reliance upon the **order dated 20.08.2020** passed by this Court in ***W.P.(C) No.1357 of 2020, Jashwant Singh v. State of Chhattisgarh & Ors.*** wherein, following the principles laid down by the Supreme Court in ***M.C. Mehta v. Union of India, (2021) 2 SCC 418***, the concerned authorities were directed to entertain the application for registration in accordance with law, subject to fulfilment of the requisite formalities. He further relies upon the communication dated 23.07.2021 issued by the Additional Transport Commissioner to the Senior Technical Director, NIC, requesting that an appropriate option be provided in the Vahan-4

system for registration of vehicles whose requisite fees had been deposited under the erstwhile Vahan-2 system, as also the Government of India communication dated 15.11.2021 concerning registration of vehicles manufactured prior to the applicability of the relevant CEV emission norms. It is, therefore, submitted that there is no lapse attributable to the petitioner and that the impediment in registration is purely technical and can be resolved by the respondent authorities; hence, appropriate directions may be issued for completing the registration of both the vehicles and issuing their permanent registration numbers.

16. I have heard learned counsel for the parties and have perused the pleadings and documents placed on record.

17. From perusal of the record, it transpires that the two vehicles/loaders bearing chassis Nos. CLG00836VHL000310 and CLG00836CHL000315 were originally purchased by the previous owner, namely, Pariyojna Nirman Private Limited, in the year 2017 and were subjected to temporary registration, the validity of which came to an end on 31.07.2017. It is not in dispute that despite the temporary registration having been granted, the vehicles were not thereafter duly and finally registered under the applicable provisions of the Motor Vehicles Act, 1988 and the Central Motor Vehicles Rules, 1989. The case of the respondents, which has not been effectively controverted, is that during the period when the Vahan-2 system was operational, the requisite documents and

receipts were not produced before the concerned registering authority by the then owner and, consequently, the registration process remained incomplete.

18. It is also evident from the record that the petitioner subsequently acquired the aforesaid vehicles pursuant to the agreement to sell dated 19.09.2019. Merely because the petitioner subsequently came into possession of the vehicles and deposited certain amounts towards lifetime tax, hypothecation endorsement and smart card charges, the same would not, by itself, confer upon the petitioner an indefeasible or vested right to have the vehicles registered irrespective of the statutory and regulatory requirements governing registration. Payment of tax is undoubtedly one of the requirements in the process of registration, but such payment cannot be construed as an independent source of a right to registration where registration itself is otherwise prohibited or impermissible under the applicable statutory regime.

19. The subsequent correspondence exchanged between the District Transport Officer, the Assistant Transport Commissioner, the Commissioner of Transport and the National Informatics Centre also does not advance the case of the petitioner. On the contrary, the said correspondence clearly demonstrates that the authorities were conscious of the difficulty and were making efforts to ascertain whether the earlier receipts/transactions under the Vahan-2 system could be incorporated in the subsequently

introduced Vahan-4 system. The communication dated 23.07.2021, as well as the communications issued thereafter, establish that the impediment was not a deliberate refusal on the part of the registering authority to register the vehicles, but arose on account of the fact that the vehicles had never been duly registered under the erstwhile system and the subsequent online system did not permit the requisite backlog entry.

20. At this stage, it would be apposite to take note of the notification dated 15.11.2021 issued by the Ministry of Road Transport and Highways, Government of India, being G.S.R. 800(E), whereby the Central Motor Vehicles (Twenty Sixth Amendment) Rules, 2021 were notified. By the said amendment, the proviso under Rule 115A(10), in relation to the applicability of CEV Stage-IV and CEV Stage-V norms, was substituted in the following terms:

> *"Provided that the vehicles manufactured before the date of applicability of CEV Stage-IV and CEV Stage-V shall be registered up to eight months and six months respectively, after the respective date of implementation of this rule."*

21. The aforesaid provision assumes considerable significance in the facts of the present case. The vehicle in question admittedly falls within the category of vehicles to which the aforesaid emission norms and the corresponding regulatory regime apply. The Central Government, in exercise of its statutory power, has prescribed a

specific and limited window within which vehicles manufactured prior to the applicability of the CEV Stage-IV and CEV Stage-V norms could be registered. The object underlying such prescription is evidently to ensure that vehicles manufactured under an earlier emission regime do not continue to enter the registration system indefinitely after the implementation of the subsequently prescribed emission standards.

22. Once the competent Central authority has prescribed the permissible period for registration of such vehicles, this Court, while exercising jurisdiction under Article 226 of the Constitution of India, cannot direct the registering authority to undertake registration in disregard of or contrary to the said statutory regulatory framework. The jurisdiction of this Court cannot be invoked for creating an exception to a policy decision or statutory rule which operates uniformly upon the class of vehicles covered thereby. A direction for registration, if issued contrary to the aforesaid notification, would effectively amount to permitting the petitioner to obtain a benefit which the governing rules no longer permit.

23. In ***M.C. Mehta*** (supra), the Hon'ble Supreme Court has held as under :-

> *"11. The applicant, a joint venture company promoted by M/s Indian g Oil Corporation Ltd. and M/s Skytanking Holding GmbH, Germany is engaged in the business of handling jet fuel*

for airlines on behalf of the suppliers, operations and maintenance of fuel farm and into plane services for all national and international airlines operating in Delhi. Mumbai and Bangalore airports. To engage themselves in the said business the applicant has purchased three goods carriers/trucks on 30-8-2018 and have obtained temporary registration certificates on 30-8-2018. The applicant contends that the National Green Tribunal had directed conversion of buses, coaches and other vehicles plying at the airport to CNG fuel within six months from the order dated 24-11-2017. This Court while modifying the said order of NGT through its order dated 6-8-20187 had removed the words "other vehicles". Insofar as the vehicles purchased by the applicant, it is pointed out that since they are designed to carry highly inflammable product, CNG and petrol fuelled engines cannot be used as per the norms of the Government. The said hydrant dispensers are heavy duty vehicles and are diesel powered engines so that they can generate sufficient torque for the vehicles to supply required power for its multiple functions. It is also stated that the sophisticated and costly equipments are mounted on BS-IV compliant ICV of SML ISUZU Lid. In that light the applicant is seeking registration of the vehicles.

12. Having taken note of the averments contained in the application, c it is also to be noted that as indicated above this Court had

through its order dated 18-9-2020 directed the Environment Pollution Control Authority ("EPCA") to submit a report after scrutinising the pending cases. Though the said report related to the vehicles purchased and awaiting registration in respect of certain other public utility services, the consideration made therein would be relevant in this case. In that regard, as noted the EPCA, inter alia has d recommended that BS-IV diesel, light and heavy-duty vehicles used for public utility and essential services, where CNG, petrol variant are not available and which had pending application before the Supreme Court, may be registered. As noted, though the instant application was not pending at that stage, the nature of activity of the applicant is for public utility and essential services. Peculiar to its nature of activity, no other vehicle can be used, and the vehicle had been purchased on 30-8-2018, much prior to the cut-off date. The fact that the vehicles are used for carrying inflammable product, in which circumstance a diesel vehicle is to be used cannot be lost sight of. These vehicles are also BS-IV compliant which was the norm as on the date of purchase. Hence, an exception is required to be made.

13. In view of the above:

13.1. CAs Nos. 3610-11 of 2019 and IA No. 61047 of 2020 are allowed. The Transport Department GNCTD is directed to register

20 mumbers of BS-IV compliant water tankers, the details of which is referred to in the Report dated 28-9-2020 of EPCA.

13.2. CA No. 8187 of 2019 is allowed. The GNCTD is directed to register two water tanker vehicles, the details of which is indicated in the report of EPCA.

13.3. IA No. 101010 of 2020 is allowed. The GNCTD is directed to register two vehicles detailed in the application.

13.4. IA No. 101018 of 2020 is allowed. The GNCTD is directed to register the vehicle detailed in the application.

13.5. IA No. 108186 of 2020 is allowed. The GNCTD is directed to register 3 diesel BS-IV commercial vehicles of SML ISUZU make detailed in the application.

13.6. No costs."

24. The contention of learned counsel for the petitioner that the vehicles had been purchased by the petitioner prior to the issuance of the notification dated 15.11.2021 and, therefore, the said notification ought not to operate against the petitioner, cannot be accepted. The relevant consideration for the purpose of the present controversy is not merely the date on which the petitioner purchased the vehicles, but whether the vehicles had acquired a valid registration prior to the operation of the regulatory restriction. In the present case, admittedly, no permanent registration had

been granted to either of the vehicles. The vehicles continued to remain without valid permanent registration and, therefore, the petitioner cannot claim that a completed and existing right of registration had accrued in his favour prior to the issuance of the aforesaid notification.

25. The subsequent purchase of an unregistered vehicle cannot revive a right which had not crystallised in favour of the previous owner. The petitioner stepped into the transaction with full knowledge of the status of the vehicles and cannot claim a better right to registration merely by virtue of the subsequent agreement to sell. If the vehicles had already been duly registered in accordance with law, the position may have been different. However, in the present case, the registration itself remained incomplete from the inception and the temporary registration had already expired. Therefore, the petitioner's subsequent acquisition of the vehicles cannot be treated as giving rise to a fresh period within which the vehicles could be registered as a matter of right.

26. It is equally important to notice that the tax receipts relied upon by the petitioner, wherein the chassis numbers of the vehicles have been mentioned, cannot be treated as registration certificates. The acceptance of tax by the Transport Department and the issuance of a tax receipt may establish payment of the prescribed tax, but they do not substitute the statutory requirement of registration. Registration of a motor vehicle is governed by the statutory

scheme and cannot be inferred merely from payment of tax or from the fact that the departmental authorities have corresponded with each other for resolving the technical difficulty.

27. The reliance placed by learned counsel for the petitioner upon the order dated 20.08.2020 passed by this Court in ***Jashwant Singh*** (supra) and upon the decision of the Supreme Court in ***M.C. Mehta*** (supra) also does not assist the petitioner in the facts of the present case. The said decisions cannot be construed as laying down an absolute proposition that a registering authority must register every vehicle merely because the owner has approached the authority and complied with the financial formalities. Any direction for consideration or registration necessarily remains subject to the statutory requirements and the rules governing the eligibility of the vehicle for registration. No judgment can be relied upon to seek a direction contrary to an applicable statutory rule or a binding regulatory notification issued by the competent authority.

28. The contention of the petitioner that the authorities themselves had made repeated efforts to facilitate registration also cannot alter the legal position. The departmental correspondence may demonstrate that the authorities attempted to find a mechanism for dealing with the old receipts and backlog entries, but such correspondence cannot override the substantive restriction contained in the Central Motor Vehicles Rules. An administrative attempt to resolve a technical difficulty cannot create a legal

entitlement where none exists under the statutory framework. The fact that the authorities sought clarification from NIC or the competent authority would, at the highest, demonstrate their bona fides in attempting to resolve the issue; it cannot confer upon the petitioner a right to registration contrary to the applicable rules.

29. This Court is also unable to accept the submission that the petitioner should be permitted to ply the vehicles merely because the lifetime tax has already been deposited. The right to ply a motor vehicle upon a public road is not an independent right flowing from payment of motor vehicle tax. Such right is subject to compliance with the requirements of the Motor Vehicles Act, 1988 and the rules framed thereunder, including the requirement of valid registration. A vehicle which has not been duly registered cannot be permitted to be used merely on the strength of payment of tax or on the basis of an agreement to sell.

30. The interim order passed by this Court during the pendency of the writ petition, whereby coercive steps were directed not to be taken against the petitioner merely on account of absence of registration, was an interim protective order passed in the peculiar circumstances obtaining at the relevant time. Such an interim arrangement cannot be construed as a declaration of the petitioner's substantive right either to registration or to continued use of the vehicles. An interim order passed during pendency of proceedings does not confer any vested or perpetual right upon a

party and necessarily remains subject to the final adjudication of the writ petition.

31. In any event, after the issuance of the notification dated 15.11.2021, the petitioner cannot claim continuation of the benefit of the interim protection in a manner which would have the effect of defeating or circumventing the statutory regulatory regime introduced by the Central Government. The interim order cannot operate as a means to permit continued use of a vehicle in circumstances where the substantive relief of registration itself cannot legally be granted. Once this Court finds that the petitioner is not entitled to a direction for registration, consequential permission to ply the vehicle merely because such interim protection had earlier been granted cannot also be continued.

32. The Court is conscious of the fact that the petitioner has invested money in acquiring the vehicles and has also deposited the requisite tax and other charges. However, such considerations, though understandable, cannot prevail over the statutory requirements governing registration. Equity cannot be invoked to compel a statutory authority to act in contravention of the rules. The hardship, if any, suffered by the petitioner on account of the transaction entered into with the previous owner cannot furnish a legal basis for directing the registering authority to register a vehicle contrary to the regulatory framework. The further fact that the petitioner was required to furnish registration certificates to

JSPL, Raigarh, and that he had sought extension of time from the said establishment, also does not create any enforceable right against the respondent authorities. The contractual or commercial difficulties faced by the petitioner in his business dealings cannot enlarge the jurisdiction of the registering authority or dilute the statutory conditions applicable to registration of motor vehicles.

33. Thus, on a cumulative consideration of the facts and circumstances, this Court finds that the petitioner has failed to establish any subsisting and legally enforceable right to seek a writ of mandamus directing registration of the two loaders. The vehicles had not been duly registered during the period when the earlier registration mechanism was operational; the temporary registration had already expired on 31.07.2017; the previous owner failed to complete the registration formalities; and the subsequent purchaser cannot claim a fresh right to registration merely on the basis of the agreement to sell and payment of tax. More importantly, the registration of the vehicles is required to be considered in the light of the Central Motor Vehicles Rules, as amended by the notification dated 15.11.2021, which prescribes the permissible period for registration of vehicles manufactured prior to the applicability of the relevant CEV emission norms.

34. Once the prescribed period for registration has elapsed, this Court cannot issue a positive direction compelling the registering authority to register the vehicles in disregard of the aforesaid

statutory notification. Such a direction would amount to permitting the petitioner to achieve indirectly what cannot be permitted directly under the applicable rules. The fact that the vehicles had been purchased by the petitioner before issuance of the notification dated 15.11.2021 does not alter the position, particularly when the vehicles had admittedly not been validly registered even prior to the issuance of the said notification.

35. The petitioner, therefore, cannot claim registration merely on the ground that the vehicles were purchased by him prior to issuance of the notification dated 15.11.2021 or that the requisite tax had already been deposited. The material question is whether, on the relevant date, the vehicles continued to satisfy the statutory and regulatory requirements for registration. The notification dated 15.11.2021, issued by the Central Government in exercise of the power conferred under Section 110 of the Motor Vehicles Act, prescribes a limited period for registration of vehicles manufactured prior to the applicability of CEV Stage-IV and CEV Stage-V. Once the period prescribed under the said regulatory framework has expired, no direction can be issued by this Court under Article 226 of the Constitution compelling the registering authority to register the vehicle contrary to the said statutory rules.

36. The fact that the petitioner is a subsequent purchaser and that the vehicles had been purchased by him prior to the issuance of the aforesaid notification does not confer upon him any vested right to

obtain registration, particularly when the vehicles had admittedly never been duly and permanently registered by the previous owner and the temporary registration had already expired. The petitioner, therefore, cannot claim a fresh period of registration merely by virtue of the subsequent purchase. The payment of lifetime tax also cannot override the statutory requirement of valid registration. In these circumstances, this Court cannot issue a mandamus directing the respondents to register the vehicles in derogation of the Central Motor Vehicles Rules and the notification dated 15.11.2021. Consequently, the petitioner is not entitled either to a direction for permanent registration or to a consequential direction permitting the vehicles to be plied on the strength of the interim protection earlier granted by this Court.

37. Consequently, this Court finds no arbitrariness, illegality or jurisdictional error on the part of the respondent authorities warranting interference under Article 226 of the Constitution of India. The petitioner has failed to demonstrate any legal right to registration of the vehicles in question and, correspondingly, no direction can be issued permitting the petitioner to ply the vehicles in the absence of valid registration.

38. Accordingly, the writ petition, being devoid of merit, is **dismissed**. The interim order passed during the pendency of the writ petition shall stand vacated. It is, however, made clear that the dismissal of the present writ petition shall not preclude the petitioner from

availing of any remedy which may otherwise be available to him in law against the previous owner in respect of the transaction in question.

39. There shall be no order as to costs.

Sd/-
(Amitendra Kishore Prasad)
Judge

Yogesh

The date when the judgment is reserved	The date when the judgment is pronounced	The date when the judgment is uploaded on the website	
		Operative	Full
09.09.2026	06.10.2026	------	13.10.2026

Head-Note

Mere payment of lifetime tax and subsequent purchase do not confer an indefeasible right to registration where the vehicle was never duly registered within the permissible period; the subsequent purchaser cannot claim a fresh right to registration contrary to the statutory regulatory regime. Interim protection granted during pendency of writ petition cannot create or confer a substantive right to registration or continued plying of the vehicle contrary to the applicable statutory notification.