



2026:DHC:4302



\$~21

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

%

Date of decision: 11th May, 2026+ **W.P.(C) 5857/2022****MS HIGHWAY TRANS SERVICES PVT LTDPetitioner****Through: Ms. Nidhi Mohan Parashar, Mr. Vikrant Kumar, Mr. Parthak Awasthi and Ms. Pratibha Singh, Advocates.****versus****GNCT OF DELHI TRANSPORT DEPARTMENTRespondent****Through: Mr. Manashwy Jha, Advocate for GNCTD.****CORAM:****HON'BLE MR. JUSTICE AMIT BANSAL****AMIT BANSAL, J. (Oral)**

1. The present writ petition has been filed seeking setting aside of the communications dated 29th January, 2021 (Annexure-P12 to the writ petition) and 19th January, 2022 (Annexure-P14 to the writ petition). The petitioner seeks registration of its five buses as described in paragraph 18 of the writ petition.

2. The brief facts necessary for the adjudication of the present dispute are below:

i. The petitioner had purchased five Bharat Stage IV ("BS-IV") compliant CNG buses on 31st May, 2016 which were permanently registered in the National Capital Territory of Delhi between 12th August, 2016 and 22nd August, 2016. The registrations were valid till 2031. The details with



2026:DHC:4302



regard to registration of the said vehicles are given in the table below:

Registration No.	Chassis No.	Engine No.	Date of Registration	Validity
DL1PD2283	MB1PBEKD0GABF5746	GCHZ410870	12.08.2016	11.08.2031
DL1PD2285	MB1PBEKD2GABF5747	GCHZ410426	12.08.2016	11.08.2031
DL1PD2369	MB1PBEKD3GABF5708	GCHZ410554	17.08.2016	16.08.2031
DL1PD2322	MB1PBEKD7GABF5744	GCHZ410433	22.08.2016	21.08.2031
DL1PD2321	MB1PBEKD9GABF5759	GCHZ410872	22.08.2016	21.08.2031

ii. Subsequently, the registration of the said buses was transferred to the Regional Transport Authority, Panipat, Haryana due to certain business opportunities in Panipat.

iii. Pursuant to the NOC from the Transport Department, GNCTD, the registration of the said buses was transferred to Panipat. Details of the same are given in the table below:

Old Registration No.	No objection from Certificate Respondent	New Registration No.
DL1PD2283	28.09.2017	HR67B2031
DL1PD2285	04.08.2017	HR67B5995
DL1PD2369	28.09.2017	HR67B1267
DL1PD2322	05.08.2017	HR67B3770
DL1PD2321	04.08.2017	HR67B1116

iv. From January 2018 till October 2020, the petitioner was operating the buses in Haryana for transportation of school children and staff. However, in October 2020, the petitioner suffered a loss of business and the buses ceased to be commercially viable for operations in Haryana.

v. Accordingly, on 1st January, 2021, the petitioner requested the respondent no.1/Transport Department, GNCTD to grant fresh registration of the buses in Delhi.

vi. The request of the petitioner was rejected *vide* communication dated



29th January, 2021 relying on the order passed by the Supreme Court on 15th June, 2020 in W.P. (C) 13029/ 1985, titled '*M.C. Mehta v. Union of India*'.

vii. The petitioner filed a representation against the said rejection order which was rejected *vide* communication dated 19th January, 2022.

3. Ms. Nidhi Mohan Parashar, counsel appearing on behalf of the petitioner has relied upon various judgments/orders passed by the Supreme Court in W.P. (C) 13029/ 1985, titled '*M.C. Mehta v. Union of India*' in support of her contention that there is no bar for registration of BS-IV compliant CNG Vehicles in Delhi.

4. In the order passed by the Supreme Court on 24th October, 2018, the Supreme Court had clarified that no motor vehicles conforming to the emission standard Bharat Stage IV shall be sold or registered in the entire country with effect from 1st April, 2020. Paragraph 21 of the said order is set out below:

21. Therefore, in exercise of the power vested in this Court under Article 142 of the Constitution, we read down sub-rule 21 of Rule 115 and direct that sub-rule 21 of Rule 115 shall be interpreted and understood to read that no motor vehicle conforming to the emission standard Bharat Stage-IV shall be sold or registered in the entire country with effect from 01.04.2020.

5. Counsel for the petitioner submits that the said order is not applicable to the present case as it pertained only to registration of new BS-IV compliant vehicles so as to ensure transition to the revised emission norms. The same cannot be interpreted to prohibit transfer and re-registration of already registered and operational BS-IV compliant CNG vehicles from one



RTO to another after 31.03.2020.

6. The respondent/Transport Department, GNCTD places reliance on the order passed by the Supreme Court on 15th June, 2020 in W.P. (C) 13029/1985, wherein IA Nos. 48715/2020 and 48716/2020 were dismissed holding that registration of old vehicles (BS-IV) cannot be allowed in Delhi. The relevant observations from the said order are set out below:

IA NOS. 48715 AND 48716 OF 2020
(Applications for Intervention and exemption on behalf of Sachin Kalra)

Considered these applications.

Application(s) for intervention is/are allowed.

We find no merit in the application, as the registration of old vehicles (BS-IV) cannot be allowed in Delhi.

The application(s) is/are dismissed.

7. Counsel for the petitioner submits that the abovesaid observations are not applicable in the case of CNG vehicles, as clarified by the Supreme Court in the subsequent order dated 18th September, 2020. The relevant observations from the said order are set out below:

Insofar as CNG vehicles are concerned, there cannot be any valid rejection to the vehicles, as the emission from these vehicles is within the limits. Therefore, we direct that these vehicles may be registered.

TD

8. Counsel for the respondent places reliance on the order passed by the Supreme Court on 2nd November, 2020 (Annexure P-27) in W.P. (C) 13029/1985, wherein the recommendations given by the Environment Pollution Control Authority ('EPCA') were noted by the Supreme Court. The relevant



portion from the said order is set out below:

"Based on these facts, EPCA would recommend the following directions, which the Hon'ble Supreme Court may consider:

1. BS-IV CNG vehicles may be registered, but only if they have been uploaded in the VAHAN database prior to 31.03.2020 and have got temporary registration.

2. BS-IV diesel light and heavy-duty vehicles used for public utility and essential services, where CNG-petrol variants are not available and which had pending applications before the Hon'ble Supreme Court may be registered as detailed in the list A above and summary below.

BS-IV diesel light-heavy duty vehicles to be allowed registration

	Public agency	Vehicles required for	No.
1	New Delhi Municipal Council	Water tankers	20
2	North Delhi Municipal Corporation	Water tankers/jetting machines	30
3	Delhi Police	Travel of police outstation	1
4	Delhi Cantonment Board	Water tankers	2
5	I&FC Department/Delhi Govt	Ambulance	1

3. BS-III non-road category of vehicles (as per the current applicable emission norm as notified by MoRTH), registered under the category of CEV-TREM may be permitted to be registered.

4. BS-VI diesel light and heavy-duty vehicles used for public utility and essential services may be permitted to be registered."

9. In the subsequent orders passed by the Supreme Court in W.P. (C) 13029/ 1985 on 9th April, 2021 (Annexure P-6) and 30th November, 2021 (Annexure P-8), similar applications seeking direction for registration of BS-IV compliant CNG vehicles were allowed.

10. The applications which were subject matter of these orders being I.A. 46641/2021 and I.A. 134225/2021 have been filed along with the present petition as Annexures P-7 and P-9 respectively. The subject matter of I.A. 46641/2021 and I.A. 134225/2021 were CNG BS-IV compliant vehicles purchased as far back as in 2017 and 2012 respectively.

11. The order passed by the Supreme Court on 15th June, 2020, which has



2026:DHC:4302



been relied upon in the impugned communication is only with respect to sale and registration of CNG vehicles after 1st April, 2020. The said order cannot apply to vehicles which were purchased earlier and only the registration is sought to be transferred to NCT of Delhi.

12. In light of the aforesaid orders of the Supreme Court, there cannot be any bar on the transfer of registration of the petitioner's vehicles, which are admittedly BS-IV compliant CNG vehicles and were originally registered in Delhi in 2016.

13. In view of the aforesaid discussion, the communications dated 29th January, 2021 and 19th January, 2022 are set aside. A direction is issued to the respondent/Transport Department, GNCTD to grant registration to the five BS-IV compliant CNG vehicles of the petitioner as detailed above.

14. The writ petition is disposed of accordingly.

AMIT BANSAL, J

MAY 11, 2026

Rzu