

Shiva Educational Society vs. State of H.P.

CWP No. 20934/2025 a/w CWP Nos. 20936 & 20937/2025

1.1.2026 Present: Mr. K. B. Khajuria, Advocate, for the petitioner(s).

Mr. Ramakant Sharma, Addl. A.G. for the respondents/State.

CWP No. 20934/2025, 20936/2025 & 20937/2025

Further one week's time to file reply (ies), as prayed, is granted. Rejoinder(s) thereto within one week thereafter. No further opportunity shall be granted to do the needful.

List for consideration along with CWP No. 11377/2025 on 25.2.2026.

**CMP No. 32473/2025 in CWP No. 20934/2025
CMP No. 32474/2025 in CWP No. 20936/2025
CMP No. 32475 of 2025 in CWP No. 20937/2025**

These applications have been filed on behalf of the petitioners seeking interim relief directing the respondents to allow the petitioner(s) to ply buses bearing Registration No.HP-23B-6241, HP-23B-6240 & HP-23B-6239 respectively on road, which are 15 years old.

Learned Additional Advocate General submits that in view of provisions of law, restriction of plying the vehicle has been rightly imposed by the authority concerned and therefore, the petitioners are not eligible for interim relief.

Learned counsel for the petitioner submits that the condition, not to ply buses of more than 15 years of age with respect to schools/present petitioners, is stated to have been imposed keeping in view the safety of the children/students. However, there are number of other

buses/private buses, which are being permitted to ply even after completing 20–25 years of age.

It has been submitted that safety concern with respect to the students as well as passengers cannot be on different parameters and in case passengers travelling in 20 years old bus are safe, then there is no reason to construe that students travelling in 15 years old bus would be unsafe.

On the aforesaid facts, prima facie, a case is made out for granting an interim relief in favour of the petitioners. Accordingly, the respondents are directed to permit the petitioners to ply the buses bearing Registration No.HP-23B-6241, HP-23B-6240 & HP-23B-6239 respectively to transport the students, but subject to completion of all other formalities and conditions, except the age of vehicle. Completion of all formalities and conditions be done within three days positively. The interim order shall continue till pendency of the petitions, subject to alteration, vacation and modification in future.

Reply (ies) to the applications, if any, be filed within one week.

List for consideration along with main petitions.

(Vivek Singh Thakur)
Judge

(Romesh Verma)
Judge

1.1.2026
(pankaj)