

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 6532/2026

1. Harmana Ram Jat S/o Hukma Ram Bhambhu, Aged About 29 Years, R/o Choudhary Colony Gangashahar, Vishavkarma Colony, Bikaner- 334001 Rajasthan. (Owner Of Vehicle Registration No. Rj43 Ga 4921)
2. Om Prakash S/o Hukama Ram, Aged About 43 Years, R/o Beegawas Ramsara, Bikaner, Rajasthan-334001. (Owner Of Vehicle Registration No. Rj07 Ge 0919)
3. Sitaram S/o Magaram, Aged About 30 Years, R/o Ward No. 8, Surjanwasi, Bikaner, Rj-331803. (Owner Of Vehicle Registration No. Rj07 Gd 6620).

-----Petitioners

Versus

1. State Of Rajasthan, Department Of Rajasthan, Secretariat, Jaipur, Rajasthan, Through Secretary.
2. Department Of Mining And Geology, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan, Through Joint Secretary.
3. Commissioner, Transport Department, Government Of Rajasthan, Parivahan Bhawan, Sahkar Marg, Jaipur Rajasthan.
4. District Transport Officer, Bikaner, Rajasthan.
5. District Transport Officer, Phalodi, Rajasthan.
6. District Transport Officer, Sujangarh, District Churu, Rajasthan.
7. District Transport Officer, Didwana, District Nagour, Rajasthan.
8. District Transport Officer, Nokha, District Bikaner, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Ashish Gehlot
For Respondent(s)	:	Mr. Sukhdev Sharma for Mr. B.L. Bhati, AAG

HON'BLE MR. JUSTICE KULDEEP MATHUR

25/03/2026

1. Learned counsel for the petitioners submits that the controversy raised in the present writ petition is squarely covered by the judgment passed in **S.B. Civil Writ Petition No.9721/2025 : Kanwar Singh and Ors. Vs. State of Rajasthan and Ors.** (decided on 28.07.2025). A Co-ordinate Bench of this Court at Jaipur in the said writ petition after hearing the parties disposed of the writ petition with following directions:

"11. In the considered opinion of this Court, unless and until the allegation of overloading is established by physically weighing the vehicles, the registration of subject vehicles cannot be suspended. Therefore, the impugned orders are not sustainable in the eyes of law. In case, it is found that there has been an alteration in the make/design of the vehicles, it is the bounden duty of the transport authorities, prior to passing any suspension order, to direct the owner/driver of the vehicles to produce their vehicles for inspection.

12. The case of the respondents is that notices were sent to the petitioners through registered post prior to passing the aforesaid impugned order, however, the petitioners dispute the factum of service of notice upon them. Under these circumstances, this Court deems it just and proper to dispose of all these writ petitions by issuing directions to the petitioners to produce their vehicles before the Transport Department, who will examine and inspect the vehicles' make and design and in case any mechanical alteration is found, a detailed inventory shall be prepared and appropriate

orders shall be passed strictly in accordance with law and simultaneously, in case no alteration in the make and design of the vehicles is found, the vehicles shall be released forthwith. The petitioners are directed to produce their vehicles within a period of one month before the respective DTOs who passed the order of suspension of registration of the subject vehicles.

13. Before parting with this order, it is made clear that the order of suspension of registration of the vehicles shall be passed by the Transport Department, only after physical verification of the vehicles, including weighing and measurements of such vehicles that too solely in the cases where overloading is found and established upon such verification. The registration of vehicles should not be suspended based merely on the allegations of overloading on the basis of data or information received from the Department of Mines. The respondents are further directed to grant interim permission to the petitioners for the limited purpose of presenting their vehicles before the respective DTOs on a particular day. This interim period shall be valid only for carrying the vehicles to the respective office of DTO for the aforesaid verification/inspection and shall not authorize the vehicles to ply on the road for any other purpose.

14. With the aforesaid observations and directions this batch of writ petitions stands disposed of. Stay applications and all pending applications, if any, also stand dismissed.”

2. Learned counsel for the petitioners submits that the present writ petition may be decided in the same terms as above.
3. Learned counsel for the respondents vehemently opposed the submission made on behalf of the petitioners, however, not in a position to refute the fact that issue in the present writ petition is identical to the one adjudicated in Kanwar Singh (supra).
4. In view of the submissions made and in view of the order passed by Co-ordinate Bench of this Court dated 28.07.2025 in S.B. Civil Writ Petition No.9721/2025, the writ petition is **disposed of** in the same terms as in the said writ petition. The petitioners shall make the vehicle available for physical verification before the concerned DTO on or before 28.04.2026.
5. Pending application(s), if any, shall also stand(s) disposed of.

(KULDEEP MATHUR),J