

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 19179/2025

Sourabh Building Material, 000, Bus Stand Gunti, Kotputli-Behror, Jaipur Rajasthan through Proprietor Harish Yadav S/o Mamchand, Aged About 36 Years, R/o Malpura, Post Keshwana, District Jaipur, Rajasthan. Registered Owner Of Vehicle Registration No. RJ 32 GD 9488 and RJ 32 Ge 0849

-----Petitioner

Versus

1. State Of Rajasthan, Transport 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, Jaipur.
4. Regional Transport Officer, Jaipur Second, District Jaipur (Rajasthan)
5. District Transport Officer, DTO Office Kotputli, District Kotputli- Behror (Rajasthan)

-----Respondents

---

|                   |   |                                                       |
|-------------------|---|-------------------------------------------------------|
| For Petitioner(s) | : | Mr. Hemant Singh Shekhawat                            |
| For Respondent(s) | : | Mr. S.S. Naruka, AAG with<br>Mr. Sachin Singh Rathore |

---

**HON'BLE MR. JUSTICE ANUROOP SINGHI**

**Order**

**08/12/2025**

1. Learned counsel for the petitioner submits that the instant petition has been filed invoking the provisions of Article 226 of the Constitution of India to seek redressal of the grievances arising from arbitrary and unjust actions of the respondents. It is apprised to the Court that the primary issue herein is that the

respondents have suspended the Registration Certificates (RCs) of the petitioner's vehicles / trucks, without complying with the provisions of the Motor Vehicles Act, 1988 and other allied statute. It is further submitted that the said action of the respondents violates not only the procedural requirements of the governing statute, such as issuing notices, providing adequate opportunity for hearing, or ensuring proper service of notices, but also the principles of natural justice. Nevertheless, as a result of the aforementioned, hefty penalties were imposed upon the petitioner for alleged overloading, merely on the basis of third party evidence, such as reports from the Mining Department, without conducting the physical verification.

2. Learned counsel for the petitioner has relied upon the provisions of Sections 53, 113, 114, 194 of the Motor Vehicles Act, 1988, along with the principles of natural justice and the General Clauses Act, 1897 qua mandatory effective service. It is submitted by learned counsel that if notices or orders are not served at the correct and complete addresses, the service is deemed to be defective and incomplete. Additionally, learned counsel has referred to the provisions of the Code of Civil Procedure (C.P.C.), which mandate granting three - four opportunities for hearing, and has submitted that neither of the aforementioned provisions and procedural mandates were adhered to by the respondents herein.

3. In this regard and to substantiate the contentions made insofar, learned counsel for the petitioner has placed reliance on the judgment of a Co-ordinate Bench of this Court passed on 28.07.2025 in **S.B. Civil Writ Petition No.9721/2025 (Kanwar Singh & Ors. Vs. State of Rajasthan & Ors)**.

4. Per contra, Mr. S.S. Naruka, learned Additional Advocate General has submitted that as per the software and information provided by the Mining Department and other relevant departments, details regarding gross weight and related credentials are taken; based on which the issuance of *E-Ravanna* and requirements are carried out. It is submitted that an assiduous analysis is conducted by the competent authorities, and after adhering with the due procedure within the prescribed upper limit, appropriate proceedings are initiated.

5. It is further submitted that the principles of natural justice are duly complied with *in-toto*, including the issuance of show cause notices, provisions of a reasonable notice period, and opportunities for hearing or grant of audience. Regarding service of notices, it is emphasized that the addresses provided in the registration certificate remains valid until amended and communicated to the relevant department. Therefore, the contention regarding defective service of notice is not tenable. Additionally, it is submitted that the petitioner has an efficacious alternative remedy as available under the Motor Vehicles Act, nevertheless in the petition at hand, disputed questions of fact are involved and the writ Court ought not to entertain and adjudicate the same. Accordingly, it is prayed that instant petition should be dismissed at the threshold, due to availability of an alternative efficacious remedy and the statutory conditions being complied with.

6. Having heard the contentions made by the learned counsel for both the parties, taking note of the material available on record in the petition and the judgments cited at the Bar, this

Court without going into the arena of disputed questions of facts & merits of the petition, is of a view that the impugned order, whereby the Registration Certificate of the vehicle owned / possessed by the petitioner is suspended, needs to be set aside, for the reasons that the said vehicles are the source of bread and butter of the petitioner and his family. However, the aforementioned revocation shall only be effective subject to a condition that the petitioner along with his counsel concerned shall report to / before the notice issuing authorities, on 23.12.2025, preferably in between 11:00 A.M. to 01:00 P.M. Thereafter, due reply be filed within a period of 15 days.

7. Audience with respect to the same will be provided by competent authority on 07.01.2026. Adjudication of the same be carried out thereafter within a period of 15 days.

8. It is made clear that during the period of consideration of grievances, the RCs of the vehicle owned / possessed by the petitioner, which is suspended, shall be revoked and the status of the vehicle in furtherance to the consequential proceedings as registered and entered upon the official portal concerned, shall be updated without further ado.

9. It is made clear that no prejudice will be caused to either side on account of passing of the present order.

10. In the light of the same, the present writ petition stands disposed of with the aforementioned directions being granted. Pending applications, if any, stand disposed of.

**(ANUROOP SINGHI),J**