

W.P.A. 16246 OF 2026

15.07.2026

Sl no. 9

Ct no. 2

P.M.

M/s. KPT Motors & Anr.

- Vs -

The State of West Bengal & Ors..

Mr. N. I. Khan,
Mr. Amlan Kr. Mukherjee,
Mr. Dilip Kr. Mandal,
Mr. Chiranjib Das

... for the petitioners

Ms. Sabita Roy, Junior Govt. Pleader
Mr. Ranajit Talukdar,
Mr. Parthasarathi Boyal,
Ms. Manisha Paswan

.... for the State

1. Present petition has been filed seeking direction to the respondents to register the models of battery operated three wheeler e-rickshaws/e-carts/goods carriage vehicle manufactured by the petitioner as the same are in compliance with Rule 126 of the Central Motor Vehicle Rules 1989.
2. Learned counsel submits that in Public Interest Litigation bearing W.P. 4102 (W) of 2018 along with several writ petitions on the same set of facts the Division Bench of this Court vide order dated 17th August, 2018 inter alia directed that all e-rickshaw which are plying in the West Bengal are registered with

the Regional Transport Authorities subject to compliance of such vehicle with Rule 126 of the Central Motor Vehicle Rules 1989.

3. Learned counsel submits that e-rickshaw manufactured by the petitioners are in compliance of the Rule 126 of the Central Motor Vehicle Rules 1989. However, the concerned authorities are expressing their reluctance to register the same and have asked for the specific permission for registration of the same.
4. Learned counsel submits that there is no impediment in the registration of the aforesaid battery operated vehicles the battery of which of Lithium Ion/Lead Acid which is distinct and different from the patented battery type of “Fuel Cell”.
5. Learned counsel submits that representation in this regard was made to the Registering Authority, Motor Vehicles Department, North 24 Parganas on 9th June, 2026, however no response has been received.
6. Learned counsel also submits that on the same set of fact in WPA 28685 of 2025 titled as M/s. Yaari Automobiles Pvt. Ltd. & Ors. Vs The

State of West Bengal & Ors. the co-ordinate Bench disposed of vide order dated 5th January, 2026 inter alia directing to act strictly in terms of the direction passed by the Court and register the e-rickshaws/e-vehicles provided the vehicles are different and distinct from the category forming subject matter of the title suit pending before the learned Additional District Judge, 13th Court, Alipore and subject to the compliance of Rule 126 of the Central Motor Vehicle Rules 1989 and all other formalities prescribed under the Governing Act/Rules by the petitioner.

7. Learned counsel for the petitioner submits that the present petition is based on the same set of facts and the similar directions may be issued in the present writ petitions.
8. Learned Junior Govt. Pleader seeks time to take instruction.
9. The Court is of the view that if there are categorical directions from the court and there is no impediment in law to refuse the prayer then the concerned officials should not be creating a situation, where the parties have to rush to the court every time for the necessary

directions. It is also a matter of concern that representation dated 9th June, 2026 has not been responded as yet.

10. Let the registering authority, Motor Vehicles Department, North 24-Parganas, Barasat, District North 24 Parganas be called in person with specific instruction on 22nd July, 2026 at 10.30 a.m.

(Dinesh Kumar Sharma, J.)