

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).16315/2012

(From the judgement and order dated 31/01/2012 in WP No.6083/2011 of The HIGH COURT OF M.P AT INDORE)

BHAGAT SINGH VASU

Petitioner(s)

VERSUS

REGIONAL TRANSPORT AUTHORITY

Respondent(s)

(With prayer for interim relief and office report)

Date: 08/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s)

Mr. Niraj Sharma, Adv.

For Respondent(s)

Mr. Mishra Saurabh, Adv.

Ms. Vanshaya Shukla, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the petitioner as well as for the respondent. The issue involved is only with respect to replacing the vehicle of the petitioner Maruti Omni LPG by Tata Magic vehicle of the same capacity. It appears that this switch over is not permitted because the order made this Court on 17.07.2006 in SLP(C) No.25198-25199/2005 in the case of Indore Tempo Union & Ors. vs. State of M.P. & Ors..

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In our view the ends of justice will be met if the petitioner makes a representation to the respondent Regional Transport Authority seeking the change and in our view, if the Authority is satisfied that both the vehicles are of the same capacity under Section 83 of the Motors Vehicles Act, they may consider the representation for switch over. If such an representation is made, the authority will decide it independently on its own merits.

The SLP is disposed of accordingly.

[Usha Bhardwaj]
A.R-cum-P.S.

[Sneh Lata Sharma]
Court Master