

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S) 3919 OF 2007

THE COMMISSIONER
TRANSPORT DEPARTMENT & ORS.

APPELLANT(S)

VERSUS

NEW STATE ACADEMY SENIOR
SECONDARY SCHOOL

RESPONDENT(S)

O R D E R

1. We have perused the order of the High Court under challenge in this appeal.

2. The High Court on a consideration of the language of Section 13(3) of the Delhi Motor Vehicles Taxation Act, 1962 and Rule 11 of the Delhi Motor Vehicles Taxation Rules has taken the view that the power to grant relaxation under Section 13(3) of the Act cannot be whittled down by the requirement(s) of submission of application spelt out by Rule 11, particularly, when Section 13(3) does not speak about any requirement of filing an application.

3. In our considered view, the aforesaid conclusion of the High Court does not disclose any error which would require interference.

4. We, therefore, find the present appeal to be without any merit and it is accordingly dismissed.

.....,J.
(RANJAN GOGOI)

.....,J.
(ABHAY MANOHAR SAPRE)

.....,J.
(NAVIN SINHA)

NEW DELHI
OCTOBER 11, 2017

ITEM NO.102

COURT NO.2

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 3919/2007

THE COMMISSIONER
TRANSPORT DEPARTMENT & ORS.

APPELLANT(S)

VERSUS

NEW STATE ACADEMY SENIOR
SECONDARY SCHOOL

RESPONDENT(S)

Date : 11-10-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE
HON'BLE MR. JUSTICE NAVIN SINHAFor Appellant(s) Mr. Ashok Kumar Panda, Sr. Adv.
Mr. Aditya K.Dubey, Adv.
Ms. Rekha Pandey, Adv.
Ms. Anil Katiyar, AORFor Respondent(s) Mr. Rajesh Srivastava, AOR
Mr. Varun Chauhan, Adv.UPON hearing the counsel the Court made the following
O R D E RThe appeal is dismissed in terms of the
signed order.Pending application(s), if any, shall stand
disposed of.(NEETU KHAJURIA)
COURT MASTER(ASHA SONI)
BRANCH OFFICER

(Signed order is placed on the file.)