

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

Petition(s) for Special Leave to Appeal (Civil) No(s).17135/2008
(From the judgement and order dated 30/06/2008 in WP No.10416/2007
of The HIGH COURT OF KARNATAKA AT BANGALORE)

MYSORE RASTHE S.S.S.MALIKARA SANGA

Petitioner(s)

VERSUS

STATE OF KARNATAKA & ORS.

Respondent(s)

(With appln(s) for permission to place addl. documents on
record,impleadment and prayer for interim relief and office report)
(For final disposal)

WITH SLP(C) NO. 18112 of 2008

(With appln. for directions and withdrawal of SLP and prayer for
interim relief and office report)

SLP(C) NO. 19296 of 2008

(With appln. for permission to file SLP and with prayer for interim
relief and office report)

W.P(C) NO. 41 of 2009

(With appln. for ex-parte stay and office report)

With Cont.P.No.253 of 2008 in SLP(C)NO.18112 of 2008

Date: 18/08/2011 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM

HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s)

Ms. Kiran Suri,Adv.

Mr. S.J.Amith,Adv.

Mr. V.N. Raghupathy,Adv.

Mrs. Rani Chhabra,Adv.

Mr. K. Rajeev,Adv.

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For Respondent(s)

Mr. Ranjit Kumar,Sr.Adv.

Mr. Kavin Gulati,Adv.

Mr. R.N.Karanjawala,Adv.

Ms. Ruby Singh Ahuja,Adv.

Ms. Pragya Ohri,Adv.

Mr.Siddhanth Kochhar,Adv.

Mrs Manik Karanjawala,Adv.

M/s. Karanjawala & Co.

Mr. Kiran Suri,Adv.

Mr.V.N. Raghupathy,Adv.

UPON hearing counsel the Court made the following

O R D E R

Application for permission to file S.L.P. (C)
No. 19296 of 2008 is granted.
I.As for impleadment are dismissed.
The Special Leave Petitions and writ petition are
disposed of accordingly.
Contempt proceedings are dropped.

[Madhu Bala] [Savita Sainani]
Sr.PA Court Master
(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE/ORIGINAL JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO. 17135 OF 2008

MYSORE RASTHE S.S.S. MALIKARA SANGHA

.... PETITIONER

VERSUS

STATE OF KARNATAKA & ORS.

...RESPONDENTS

WITH

SPECIAL LEAVE PETITION (C) NO. 19296 OF 2008

SPECIAL LEAVE PETITION (C) NO. 18112 OF 2008

WRIT PETITION (C) NO. 41 OF 2009

CONTEMPT PETITION NO. 253 OF 2008

IN

SPECIAL LEAVE PETITION (C) NO. 18112 OF 2008

O R D E R

1) Application for permission to file S.L.P. (C) No. 19296 of 2008
is granted.

2) I.As for impleadment are dismissed.

3) By order dated 30.06.2008, the Division Bench of the High Court
of Karnataka at Bangalore in Writ Petition No. 10416 of 2007, after
hearing all the parties therein, quashed the notification dated
29.06.2007 and 22.01.2008 and directed the State of Karnataka to
implement the Notification dated 28.03.2005 relating to fitment of
Speed Governors subject to the modifications contained in the

Notification dated 01.06.2007. After issuing such direction, the

High Court has also granted further period of three months from the

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date of their order for fitting the Speed Governors in the vehicles already registered and made it clear that new vehicles shall not be registered unless they are fitted with Speed Governors.

By passing

such orders, the Division Bench allowed the writ petition filed by one Y.N. Nanjappa, whose son died in a road accident at Bangalore.

4) Challenging the above order of the High Court, Mysore Rasthe S.S.S. Malikara Sangha, Bangalore, State of Karnataka and Lorry Owners' Association have filed separate Special Leave Petitions.

5) One Smt. Surekha T., challenging the Notification issued by the Government of Karnataka dated 31.10.1998 filed Writ Petition (C) No. 41 of 2009 before this Court.

6) Writ petitioner before the High Court has also filed Contempt Petition No. 253 of 2008 for implementation of the order of the High Court.

7) All the Special Leave Petitions and writ petition relate to fitment of Speed Governors in transport vehicles.

8) Mr. V.N. Raghupathy, learned standing counsel for the Government of Karnataka on instruction from the Government states that the State is going to issue appropriate Notification for implementation of Rule 118 of the Central Motor Vehicles Rules, 1989 by withdrawing the earlier notification dated 31.10.2008 within a

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period of four weeks from today. The above statement is hereby recorded.

9) In view of the specific stand taken by the State, we feel that no further adjudication is required in all these petitions including the contempt petition.

10) The Special Leave Petitions and writ petition are disposed of accordingly.

11) Contempt proceedings are dropped.

.....J.
(P. SATHASIVAM)

.....J.
(DR. B.S. CHUAHAN)

NEW DELHI;
AUGUST 18, 2011.