

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

**:PRESENT:
THE HON'BLE SRI JUSTICE T.VINOD KUMAR**

**IA No. 1 OF 2022
IN
WP NO: 28740 OF 2022**

Between:

Sri Vijaya Sai Grammer High School, Flat Nos. 20 and 21, Manasa Nagar, Sanghi Nagar,
Hayathnagar, Ranga Reddy District, Telangana State, Rep. by its Correspondent B.V.
Venkateswara Reddy

...Petitioner
(Petitioner in WP. No. 28740 of 2022
on the file of High Court)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Transport Department,
Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority, Ibrahimpatnam, Office at Manneguda,
Ranga Reddy District.
3. Union of India, Rep. by its Chief Secretary, Ministry of Road Transport and
Highways, Transport Bhavan, 1- Parliament Street, New Delhi.

...Respondents
(Respondents in-do-)

Counsel for the Petitioner : SRI LAXMAIAH KANCHANI

Counsel for the Respondents No. 1 & 2: GP FOR TRANSPORT

**Counsel for the Respondent No. 3 : SRI NAMAVARAPU RAJESHWARA RAO,
ASST. SOL. GENERAL**

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to direct the respondents 1 and 2 to renew the Fitness Certificate for the year 2022-2023 in respect of the petitioners bus bearing No. AP 29 TB 5521 without any penalty and by receiving usual charges, pending disposal of WP No. 28740 of 2022, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following. (The receipt of this order will be deemed to be the receipt of notice in the case).

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ORDER:

“Heard learned counsel for the petitioner and learned counsel appearing for the respondents and perused the record.

The petitioner has filed the present Writ Petition seeking a relief in respect of vehicles which are registered in the State of Telangana.

When the Writ Petition is taken up for hearing on admission, learned Government Pleader, while seeking time to file counter, has brought to the notice of this Court an order dt.27.06.2022 passed by the coordinate Bench of this Court in W.P.No.26842 of 2022 and batch, whereby this Court had directed payment of Rs.10/- per day, per vehicle, for the last one year within ten days from the date of the order. This Court further directed that on such payment being made, the official respondents were directed to issue provisional fitness certificate to the petitioners in respect of their vehicles. It is also made clear therein that the order being passed is only as an interim measure and was to be in force for a period of ten days from the date of the order. This Court further made clear that any payment made therein shall be subject to the final result of the writ petition and in the event of the writ petition being dismissed, the petitioners therein are liable to pay the balance amount of Rs.40/- per day, as envisaged under the Central Motor Vehicle Rules.

Having regard to the submissions made and since the issue involved in the present Writ Petition is similar to the one under consideration in the aforementioned Writ Petition, I see no reason to take a different view from that of the view expressed in the interim order in W.P.No.26842 of 2022, dt.27.06.2022.

Thus, for reasons alike as were stated in the above said order and in terms thereof, there shall be similar direction to the respondents in the present Writ Petition also.

Registry is directed to append a copy of the order in W.P.No.26842 of 2022, dt.27.06.2022 to this order.”

//TRUE COPY//

SD/- B. SATYAVATHI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Transport Department, State of Telangana, Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority, Ibrahimpatnam, Office at Manneguda, Ranga Reddy District.
3. The Chief Secretary, Ministry of Road Transport and Highways, Union of India, Transport Bhavan, 1- Parliament Street, New Delhi. (Addressees 1 to 3 BY RPAD along with a copy of order dated 27-06-2022 in WP. No. 26842/2022)
4. Two CCs to GP for Transport, High Court of Telangana, at Hyderabad (OUT)
5. one CC to Sri Laxmaiah Kanchani, Advocate (OPUC)
6. one Spare copy

HIGH COURT

TVK,J

DATE: 11-07-2022

ORDER

**I.A. NO.1 OF 2022
IN
WP. NO. 28740 OF 2022**

DIRECTION

