

THE HON'BLE SMT. JUSTICE P.MADHAVI DEVI

W.P. No.9570 of 2022

ORDER:

This writ petition has been filed by the petitioner seeking a writ of mandamus declaring the action of the 3rd respondent in not entertaining the application for registration of BS-IV vehicle bearing temporary registration mark No.DL/51/Temp/2019/4672, bearing engine No.D67032503, Chasis No.MC1E4 DFA3K038359 as illegal and arbitrary.

2. It is the case of the petitioner that the petitioner has purchased the BS-IV vehicle on 13.07.2019 and made temporary registration on 23.08.2019. However, when the same was presented for registration, it was returned with certain objections. It is submitted that for some time, the registration of BS-IV vehicles was banned and the same was challenged before the Hon'ble Supreme Court and the Hon'ble Supreme Court in I.A. No.102618 of 2020 in W.P. (civil) No.13029 of 1985 had directed that where the vehicles have been purchased prior to the cut-off date i.e. 31.03.2020, the Registration authority may scrutinize the records to ensure that the sales are genuine

and that have taken place prior to cut-off date and thereafter register the same.

3. The learned counsel for the petitioner submits that in view of the Hon'ble Supreme Court judgment, the petitioner's application for registration of the subject vehicle should be considered.

4. The learned Government Pleader for Transport however submits that the petitioner has to make online application for registration and if such application is made, the authorities will consider and process the same in accordance with law.

5. In view of the submissions of both the parties, the petitioner is directed to make a fresh application to the 3rd respondent online and thereafter, the 3rd respondent shall consider and process the same in accordance with the directions of the Hon'ble Supreme Court.

Accordingly, this writ petition is disposed of. No order as to costs.

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Miscellaneous applications, if any pending, shall stand closed.

JUSTICE P.MADHAVI DEVI

Date: 22.02.2022
LSK