



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 16306/2024

Vikram Singh S/o Shri Umrao Singh, Aged About 47 Years,
R/o 117/1, Mohalla Nalapur, Santosi Mata Mandir Ke Pass,
Ward No. 6 Narnaul, District Mahendragarh (Haryana).

----Petitioner

Versus

1. The State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur.
2. The Commissioner, Transport And Road Safety Department, Secretariat, Rajasthan, Jaipur.
3. Additional Transport Commissioner, Rajasthan 409 Sahakar Marg, Jyoti Nagar Lalkothi, Jaipur.
4. The Additional Regional Transport Officer (City), Transport Department Jagatpura, District Jaipur.
5. The Additional Regional Transport Officer-II, Jaipur (Raj.)
6. The Registration Authority Transport Department, Kotputli, District Jaipur.

----Respondents

Connected With

S.B. Civil Writ Petition No. 16865/2024

Hardeep Singh S/o Shri Balbinder Singh, Aged About 30
Years, R/o Kirarod, Afganana Narnaul, District Mahendragarh
(Haryana)

----Petitioner

Versus

1. The State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur.
2. The Commissioner, Transport And Road Safety Department, Secretariat, Rajasthan, Jaipur.
3. The Additional Regional Transport Officer (City), Transport Department, Jagatpura, District Jaipur.
4. The Additional Transport Commissioner, Rajasthan 409



Sahakar Marg, Jyoti Nagar, Lal Kothi, Jaipur.

5. The Additional Regional Transport Officer-II, Jaipur (Raj.)
6. The Registration Authority, Transport Department, Kotputli, District Jaipur.
7. The District Transport Officer, Balotara (Rajasthan)

-----Respondents

S.B. Civil Writ Petition No. 16987/2024

Parvinder Singh S/o Shri Tara Singh, Aged About 35 Years,
R/o Near Kailash Pahalwan Ka Ghar, Mohalla Dashmesh
Nagar, Narnaul, District Mahendragarh (Haryana).

-----Petitioner

Versus

1. The State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur.
2. Commissioner, Transport And Road Safety Department, Secretariat, Rajasthan, Jaipur.
3. Additional Transport Commissioner, Rajasthan 409 Sahakar Marg, Jyoti Nagar Lalkothi, Jaipur.
4. Additional Secretary, Regional Transport Authority, Transport Department Jagatpura, District Jaipur.
5. The Additional Secretary (City), Regional Transport Officer-I, Jaipur (Raj.)
6. The District Transport Officer, Registration Authority And Road Safety Officer Dholpur, District Dholpur (Raj.)
7. The Registration Authority Transport Department, Kotputli, District Jaipur.

-----Respondents

For Petitioner(s) : Mr. Sultan Singh Kuri with
Mr. Bhagirath Singh Kuri

For Respondent(s) :

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL



03/01/2025

Since, all these writ petitions share similar facts and a common question of law, they have been heard together and are being decided vide this common order.

For the sake of convenience, the facts are being referred from the file of S.B. Civil Writ Petition No. 16306/2024: Vikram Singh V/s State of Rajasthan.

Under challenge in the writ petition is the show cause notice dated 09.09.2024 issued by the Additional Regional Transport Officer (City), Jagatpura, Jaipur under Section 55(5) of the Motor Vehicles Act, 1988(for brevity, "Act of 1988").

The only contention advanced by learned counsel for the petitioners to assail the aforesaid show cause notice is that under Section 55(2) of the Act of 1988, it is only the original registering authority which is empowered to cancel the registration and not any other registering authority. Inviting attention of this Court towards the registration certificate issued in petitioner's favour on 17.11.2018, he would submit that since, the original registering authority is the Transport Authority situated at Kotputli, the impugned notice issued by the Transport Authority, Jagatpura, Jaipur is bad in law not being the original registering authority. He, therefore, prays that the writ petitions be allowed and the notice impugned be quashed and set-aside.

Heard. Considered.

Section 55(2) of the Act of 1988 reads as under:

“Cancellation of registration-:



(2) The registering authority shall, if it is the original registering authority, cancel the registration and the certificate of registration, or, if it is not, shall forward the report and the certificate of registration to the original registering authority and that authority shall cancel the registration.”

The aforesaid provision provides in no uncertain terms that although, the registration certificate can only be cancelled by the original registering authority; but, other registering authority is also empowered to issue show cause notice and conduct an inquiry in the matter. However, if cancellation of the registration is required, such authority shall forward the report and the certificate of registration to the original registering authority for its cancellation. Thus, it nowhere denudes any registering authority other than the original registering authority from issuing any show cause notice and/or conducting an inquiry in the matter.

In view thereof, this Court does not find any illegality in the show cause notice issued by the Regional Transport Authority, Jagatpura, Jaipur since, it does not amount to the cancellation of the registration certificate for which, obviously, only the original registering authority is empowered and entitled. Resultantly, these writ petitions are dismissed being devoid of merit. Pending application(s), if any, also stands disposed of.

(MAHENDAR KUMAR GOYAL),J

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