

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

D.B. Special Appeal Writ No. 591/2026

IN

S.B. Civil Writ Petition No. 6561/2026

Vinod Kumar S/o Khushi Ram, Aged About 44 Years, R/o 94, G.F, Khanna Market, Tis Hazari, District Courts, Civil Lines, North Delhi, Delhi 110054. Presently residing at Arniya Online Payments, Fawara Chowk, Mahu Road, Neemuch (M.P.)

----Appellant

Versus

1. State of Rajasthan, Through Its Secretary, Transport, Government of Rajasthan, Secretariat, Jaipur.
2. Transport Commissioner, Parivahan Bhawan, Jaipur.
3. District Transport Officer, Shahpura, District Jaipur.

----Respondents

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| For Appellant(s)  | : | Mr. Y.K. Sharma<br>Mr. Arvind Kumar Arora  |
| For Respondent(s) | : | Mr. S.S. Naruka, AAG<br>Mr. Sachin Rathore, AAAG<br>Mr. Divanshu Gupta, AGC<br>Ms. Ritika Naruka |

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**HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA**  
**HON'BLE MR. JUSTICE MANEESH SHARMA**

**Order**

**29/06/2026**

1. The appeal before us is challenging an interim order passed by the learned Single Judge whereby the learned Single Judge gave provisional relief to the appellant by releasing the seized vehicle subject to the vehicle being insured by the owner to be in strict conformity with the statutory norms enshrined under the Motor Vehicles Act, 1988. Learned counsel submits that the learned Single Judge has failed to take notice of the fact that the

respondents while sealing the vehicle prepared a Panchnama where they mentioned about several defects being found while sealing the vehicle. However, later on in the notice which has been issued to the appellant other deficiencies have been mentioned. We have looked into the notice issued on 27.03.2026 under Section 53(1)(a) of the Motor Vehicles Act, 1988. The details of the alleged violations have been mentioned in the said notice. We will accept the contention of the appellant that at the time of inspection certain violations as mentioned in the notice have not been noted but the same does not give any benefit to the appellant. It is always open for the appellant to reply to the notice and also make its assertions orally whereafter if any final order is passed, the same is also appealable. In the circumstances, no interference is therefore warranted so far as the issuing of notice under Section 53 (1) (a) of the Motor Vehicles Act, 1988 is concerned. So far as the vehicle having been released is concerned, we find that the learned Single Judge has already released the vehicle. However, unless the appellant satisfies to the conditions of the notice which are necessary for plying the vehicle, the vehicle shall not be allowed to be plied in State of Rajasthan.

2. The other contention raised by the appellant is with regard to the suspension of the registration certificate of the appellant. It is apparent that the suspension of the registration is only with reference to plying of the vehicle in the State of Rajasthan and so far as the fact that the vehicle has been registered in Madhya Pradesh would not make any difference. If the appellant satisfies the authorities in the State of Madhya Pradesh regarding the norms it would be always open for them to ply the vehicle in the

State of Madhya Pradesh. However, in State of Rajasthan till the authorities are satisfied on the notice issued under Section 53 (1) (a) of the Motor Vehicles Act, 1988 the registering authorities have the right to not allow the vehicle to ply in the State.

3. We find from the facts of this case that there are buses which are being plied by the transporters with modifications and several modifications do not comply with the norms as laid down under the Motor Vehicles Act, 1988. Resultantly, there have been several instances of fire resulting in accidents and deaths of many persons so much more responsibility lies on the department to see that the norms are strictly complied with by the transporter and similarly responsibility also lies on transporter to see that the vehicles are in accordance with the norms laid down for the purpose of passenger buses. We, therefore, direct the authorities to see that all the vehicles which are plied in the State of Rajasthan confirm to the norms without making any difference between the vehicles which have been registered in Rajasthan or in other States.

4. The appeal stand dismissed.

5. Any other pending application(s), if any, stand disposed of.

(MANEESH SHARMA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ

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