



2026:AHC:146367-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 20940 of 2026

Shaheen Siddiqui and 7 others

.....Petitioner(s)

Versus

State of U.P. and 10 others

.....Respondent(s)

Counsel for Petitioner(s)	: Ajay Kumar Srivastava
Counsel for Respondent(s)	: C.S.C., Vinayak Nath Singh

Reserved on 26.05.2026

Delivered on 17.07.2026

Court No. - 40

HON'BLE SARAL SRIVASTAVA, J.
HON'BLE GARIMA PRASHAD, J.

1. Heard Sri Sameer Sharma, learned Senior Advocate assisted by Sri Ajay Kumar Srivastava, learned counsel for the petitioners, learned Standing Counsel for the State and Sri Vinayak Nath Singh, learned counsel for the respondent no.2.

2. The present writ petition has been filed seeking the following reliefs:

“I. issue a writ, order or direction in the nature of Certiorari quashing the electronic challans (e-challans) issued by the Respondent No. 9, as contained in annexure no. 4 to this writ petition.

ii. Issue a writ, order or direction in the nature of Mandamus commanding and directing the Respondent No. 3 to 11/police authorities not to issue or enforce e-challans against the buses operated by the Petitioners by treating the permissible speed limit on the Yamuna Expressway as 60 kilometers per hour, contrary to the Notification dated 06.04.2018 issued by the Government of India prescribing

maximum speed limits for different classes of motor vehicles on various categories of roads, in the interest of justice.

iii. Issue a writ, order or direction in the nature of Mandamus commanding the Respondent Nos. 3 to 11/police authorities to strictly enforce and act in accordance with the Notification dated 06.04.2018, in respect of the route from Kuberpur (Agra) to Noida Sector-37 via Pari Chowk (Yamuna Expressway), prescribing the maximum speed limit of 100 kilometers per hour for "Expressways with Access Control" and 90 kilometers per hour for "4-lane and above divided carriageways with median strips/dividers", in the interest of justice.

iv. Issue a writ, order or direction in the nature of Mandamus commanding the Respondent Nos. 3 to 11/police authorities not to prosecute or take cognizance under Section 183 of the Motor Vehicles Act, 1988, in respect of GH COURT A vehicles plying on the route from Kuberpur (Agra) to Noida Sector-37 via Pari Chowk (Yamuna Expressway), where the detected speed is within 5% of the maximum speed limit prescribed under Notification dated 06.04.2018, in the interest of justice."

3. The petitioners are operators of stage carriage buses plying on the Agra–Noida route through the Yamuna Expressway. They challenge the overspeeding e-challans issued against them on the ground that the respondent authorities have treated the applicable speed limit for their vehicles as 60 kilometres per hour.

4. Learned counsel for the petitioners submitted that the Central Government Notification dated 06.04.2018 issued under Section 112 of the Motor Vehicles Act, 1988 prescribes the maximum permissible speed for stage carriage buses on access-controlled expressways as 100 kilometres per hour. It was contended that once such speed has been prescribed by the Central Government, the respondents have no authority to enforce a lower speed limit. The impugned e-challans are, therefore, stated to be illegal and violative of Articles 14 and 19(1)(g) of the Constitution.

5. *Per contra*, learned Standing Counsel submitted that the determination of operational speed limits on the Yamuna Expressway falls within the

statutory powers of the competent authorities under the Motor Vehicles Act, 1988. It was submitted that the Yamuna Expressway is managed by respondent no. 2, namely the Yamuna Expressway Industrial Development Authority (YEIDA), and that the applicable speed limits are determined by the competent authorities in coordination with the Traffic Police, keeping in view road safety and other technical considerations. Such matters, it was submitted, involve technical assessment and policy considerations and do not warrant interference in writ jurisdiction.

6. Having considered the rival submissions and perused the record, this Court finds no merit in the writ petition.

7. The e-challans annexed with the writ petition show that the petitioners have been penalised by applying a speed limit of 60 kilometres per hour. However, the petitioners have neither placed on record nor challenged any notification or order of the competent authority prescribing such speed limit on the relevant stretch of the Yamuna Expressway.

8. Even otherwise, the contention advanced by the petitioners cannot be accepted. Section 112 of the Motor Vehicles Act itself makes a distinction between the maximum speed prescribed by the Central Government and the power of the State Government or an authority authorised by it to prescribe speed limits for a particular road or area. Section 112 of the Motor Vehicles Act, 1988 reads as under:

“112. Limits of speed. - (1) No person shall drive a motor vehicle or cause or allow a motor vehicle to be driven in any public place at a speed exceeding the maximum speed or below the minimum speed fixed for the vehicle under this Act or by or under any other law for the time being in force:

Provided that such maximum speed shall in no case exceed the maximum fixed for any motor vehicle or class or description of motor vehicles by the Central Government by notification in the Official Gazette.

(2) The State Government or any authority authorised in this behalf by the State Government may, if satisfied that it is necessary to restrict the

speed of motor vehicles in the interest of public safety or convenience or because of the nature of any road or bridge, by notification in the Official Gazette, and by causing appropriate traffic signs to be placed or erected under section 116 at suitable places, fix such maximum speed limits or minimum speed limits as it thinks fit for motor vehicles or any specified class or description of motor vehicles or for motor vehicles to which a trailer is attached, either generally or in a particular area or on a particular road or roads:

Provided that no such notification is necessary if any restriction under this section is to remain in force for not more than one month.

9. While the proviso to Section 112(1) provides that the maximum speed fixed under any law cannot exceed the maximum prescribed by the Central Government, sub-section (2) expressly empowers the State Government or an authorised authority to fix maximum or minimum speed limits for motor vehicles or any class of motor vehicles on a particular road or in a particular area by notification.

10. Thus, the Notification dated 06.04.2018 cannot be read to mean that every vehicle is entitled, as a matter of right, to travel at the maximum speed mentioned therein on every expressway. The statutory scheme itself recognises that different operational speed limits may be prescribed for particular roads or stretches by the competent authority in accordance with Section 112(2).

11. The fixation of such operational speed limits is essentially a matter for the competent authorities. The determination is likely to involve consideration of factors such as the nature of the road, traffic density, visibility, weather conditions including seasonal fog and other road safety considerations. These are matters of technical assessment which this Court, in exercise of its writ jurisdiction, would not substitute by its own assessment. More importantly, the notification or order prescribing the applicable speed limit has not been challenged in the present proceedings.

12. The contention based upon Articles 14 and 19(1)(g) of the Constitution also cannot be accepted. No material has been placed before

the Court to establish any hostile discrimination. Equally, speed restrictions imposed in accordance with the statutory framework are regulatory measures intended to ensure road safety and cannot, by themselves, be regarded as an unreasonable restriction on the petitioners' right to carry on business.

13. The validity of an individual overspeeding e-challan would depend upon its own facts, including the applicable speed restriction and the speed recorded by the enforcement mechanism. If any particular e-challan has been issued contrary to law, it is always open to the concerned person to avail the statutory remedy available under the Motor Vehicles Act. A blanket direction restraining the respondents from issuing future overspeeding e-challans, as prayed for, cannot be granted.

14. For the aforesaid reasons, the writ petition is devoid of merit and is, accordingly, dismissed. No order as to costs.

(Garima Prashad,J.) (Saral Srivastava,J.)

July 17, 2026

Sachin Mishra