

**IN THE HIGH COURT OF JUDICATURE FOR
RAJASTHANBENCH AT JAIPUR.**

JUDGMENT

Kishan Gopal & Ors. vs. S.T.A.T. & Ors.

S.B.Civil Writ Petition No.6385/2009
under Articles 226 & 227 of the
Constitution of India.

Date of Judgment ::::::: **July 31,2009**

Present

HON'BLE MR. JUSTICE M.N.BHANDARI

Mr. S.K.Ajmera for the petitioners.
Mr. K.Verma, Addl.G.A. for the respondents.

By the Court(oral)

With the consent of the parties the matter was heard
for final disposal.

By the instant writ petition the petitioners have
challenged the order dated 19.1.2009 passed by the
STAT. However, during the pendency of the writ petition
the petitioners have complied with the impugned order to
the extent of replacement of the vehicle. The only

grievance now remains is with regard to the other directions given by the STAT. The direction is that the petitioners will get the vehicle replaced in their names. Learned counsel for the petitioners submits that all the replaced vehicles exist in the names of the petitioners and thereby the second condition is also complied with. However, the compliance was made after a period of four months which otherwise was given by the STAT. The prayer of the counsel for the petitioners in these circumstances is that the period of four months may be extended by a period of further three months. It is stated that petitioner No.4 Om Prakash since dead, his legal representatives have been brought on record and now the permit is to be issued in the names of the legal heirs.

Learned counsel appearing for the respondents has not disputed the fact that as per the direction of the STAT the vehicles have been replaced and the vehicles are also in the names of the petitioners but aforesaid compliance was not made by the petitioners within the time frame but was complied with subsequently.

Since the directions have been complied with by the

petitioners the only prayer now is that a direction may be issued for extension of time for compliance of the impugned order and for grant of permit in the name of the legal heirs of petitioner Om Prakash. In view of this, the writ petition is disposed of with the following directions:-

(1) the impugned order dated 19.1.2009 passed by the STAT is modified only to the extent that the petitioners will get all the vehicles in their names within a period of three month over and above the period of four months already given by the STAT. So far as one permit holder Om Prakash is concerned, since he died during pendency of the writ petition, thus, now the respondents will consider grant of permit to the legal heirs of Om Prakash and in that case the period of three months as directed above would be counted from the date of this order.

With the aforesaid modification the writ petition stands disposed of.

(M.N.Bhandari), J.