

Janta Motors Pvt. Ltd. And Ors. vs S.T.A., Delhi And Ors. on 4 May, 1984

Equivalent citations: 1984(1)SCALE820, 1984SUPP(1)SCC711, 1984(16)UJ699(SC), AIRONLINE 1984 SC 8

Author: Ranganath Misra

Bench: A. Varadarajan, Ranganath Misra, S. Murtaza Fazal Ali

JUDGMENT

Ranganath Misra, J.

1. All the three appeals are by special leave and are directed against decisions of the Delhi High Court. The dispute in each of these cases has arisen out of refusal to grant or counter-sign permits under the Motor Vehicles Act on the Delhi-Ghaziabad inter-State route.
2. Before the High Court dispute had arisen as to exact sanctioned strength of the permits on the route. During the course of hearing of these appeals under Orders of the Court the Transport Secretaries of the State of Uttar Pradesh and the Union Territory of Delhi appeared before us and we directed them to amicably fix up by fresh agreement the strength of State carriage permits on this route. We have been informed that a meeting held on 7th April, 1984 and the two Governments have agreed to fix the strength of the inter-State permits on this route at 60.
3. When the appeals were taken up for final hearing Mr. Shanti Bhushan for the appellants did not press the appeals. These appeals have, therefore, to be dismissed as not pressed. In the peculiar facts we direct parties to bear their own costs.
4. Even though the appeals are being dismissed as not pressed, we think it appropriate and in the interest of the travelling public that a direction should be given to both the Governments to take further steps as required under Section 63(3-A), and 63(3-B) of the Motor Vehicles Act, 1939 and all other provisions of law applicable to the situation for finalising the inter-State agreement in respect of this route by giving effect to the agreement reached on 7th April, 1984 in accordance with law and all steps required by law to implement the same be taken within three months from today.
5. In view of the fact that the State Transport Authorities of the two Governments have accepted the position that there is great demand for transport facilities on these routes, we direct that until the inter-State agreement is finalised as directed above and steps are taken for grant of permits in respect of vacancies existing or created under the agreement, the Transport Authorities of Union

Territory of Delhi should reconsider the decision in the matter of counter-signature of existing permits issued by the Transport Authorities in Uttar Pradesh. If there be any permit already granted by the Transport Authority of Delhi, the Transport Authority in Uttar Pradesh may similarly consider the question of counter-signature. If there be any counter-signature made in the manner indicated above it would be as a purely temporary measure for the convenience of the travelling public and would not confer any right for claiming preferential treatment in the matter of filling of vacancies on permanent basis. The counter-signature referred to above if and made shall remain valid only upto grant of permanent permits on this inter-State route.