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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

**BEFORE
HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA**

ON THE 8th OF MAY, 2024

WRIT PETITION No. 12424 of 2024

BETWEEN:-

NARENDRA SINGH THAKUR S/O SHRI ANUP SINGH THAKUR, AGED ABOUT 55 YEARS, OCCUPATION: BUS OPERATOR R/O H.NO.31, SHALINI ROAD, DEWAS (MADHYA PRADESH)

.....PETITIONER

(BY SHRI SUBODH KUMAR PANDEY - ADVOCATE)

AND

- 1. THE STATE OF MADHYA PRADESH THROUGH THE PRINCIPAL SECRETARY, GOVERNMENT OF MADHYA PRADESH, TRANSPORT DEPARTMENT, MANTRALAYA, VALLABH BHAWAN, BHOPAL (MADHYA PRADESH)**
- 2. THE SECRETARY, REGIONAL TRANSPORT AUTHORITY, BHOPAL RTO BHOPAL, DISTRICT BHOPAL (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI ROHIT JAIN - GOVERNMENT ADVOCATE)

.....
This petition coming on for admission this day, the court passed the following:

ORDER

This petition under Article 226 of Constitution of India has been filed seeking the following reliefs:

"I. The Hon'ble Court may kindly be graciously pleased to issue a writ of mandamus directing the respondent No.2, to consider and decide the application (Ann. P/1) of petitioner within a stipulated period.

II. Any other reliefs which this Hon'ble Court deem fit in the circumstances of the case, may also be granted to the Petitioner."

2. It is submitted by counsel for petitioner that application filed by petitioner for grant of temporary permit is still pending and has not been decided so far.

3. Heard learned counsel for petitioner.

4. Petitioner has filed a copy of application for grant of temporary permit as Annexure P/1 in which it is mentioned that purpose for permit is temporary need as required under Section 87(1)(c) of Motor Vehicles Act. However, the reasons for temporary need have not been disclosed.

5. This Court in the case of **Ramakant Patel vs. State of Madhya Pradesh and others** decided on **03.05.2024** in **W.P. No.10476/2024** has held that mere mentioning of word "temporary need" is not sufficient to cater the requirements as per provisions of Section 87(1)(c) of Motor Vehicles Act. Since the application itself is not in accordance with provisions of Section 87(1)(c) of Motor Vehicles Act, therefore, no direction can be given to respondents to decide the application.

6. Accordingly, the petition fails and is hereby **dismissed**.

(G.S. AHLUWALIA)
JUDGE