

ITEM NO.9

COURT NO.1

SECTION IVA

S U P R E M E C O U R T O F I N D I A

R E C O R D O F P R O C E E D I N G S

I.A. No.1/2013 and un-numbered I.A...../2013 in
Petition(s) for Special Leave to Appeal (Civil) No(s).16064/2012

(From the judgement and order dated 30/04/2012 in WP No.311/2012
of The HIGH COURT OF M.P. AT GWALIOR)

M/S REAL MAZON INDIA LTD.

Petitioner(s)

V E R S U S

STATE OF M.P.& ORS.

Respondent(s)

(With appln(s) for directions, impleadment, prayer for
interim relief and office report)

Date: 06/05/2013 This Matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE VIKRAMAJIT SEN

HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. Sunil Fernandes,Adv.

Mr. Amanpret Singh Rahi,Adv.

Ms. Snigdha Pandey Kaushik,Adv.

Mr. Raghav Chadani,Adv.

For Respondent(s) Mr. M.N. Krishnamani,Sr.Adv.

Automobile Traders Mr. Vipin Singhania,Adv.

Asscn. of Delhi: Ms. Manjula Gupta,Adv.

For NCT of Delhi: Mr. S.W.A. Qadri,Adv.

Ms. Neera Gupta,Adv.

Mr. Shishir Singh,Adv.

Mr. D.S. Mahra,Adv.

For Madhya Pradesh: Mr. Mishra Saurabh,Adv.

For Rosmerta HSRP Mr. Gaurav Bhatia,Adv.

Ventures Pvt. Ltd.: Mr. Pankaj Pandey,Adv.

Mr. Gautam Talukdar,Adv.

Mr. Piyus Vishistha,Adv.

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UPON hearing counsel the Court made the following

O R D E R

The Automobile Traders Association of Delhi, through its President, Shri Raj Chopra, has filed I.A. No.1 of 2013 in S.L.P. (C) No.16064 of 2012, inter alia, for impleadment in the proceedings and for other appropriate orders. Appearing in support of the application, Mr. M.N. Krishnamani, learned senior advocate, submitted that, pursuant to prohibitory orders passed by this Court, the motor vehicle dealers were unable to hand over possession of the vehicles sold by them to the buyers without affixing High Security Registration Plates [H.S.R.P.]. According to Mr. Krishnamani, delivery of a large number of vehicles have been delayed on account of delay in affixation of H.S.R. Plates. Prayer has, therefore, been made that showrooms and workshops of dealers forming part of the applicant-Association, should be declared as authorized H.S.R.P. affixation centres under Rule 2(37) of the Delhi Motor Vehicles Rules, 1993.

Mr. Krishnamani has produced before us an order passed by the Transport Department of the Government of N.C.T. of Delhi dated 22nd April, 2013, directing the vendor, M/s. Rosmerta HSRP Ventures (P) Limited, to identify the Self-Registration Dealers (showroom

and workshop), whose premises need to be declared as authorized HSRP affixation centre to facilitate affixation of HSRP on the vehicles, and submit details thereof at the

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- 3 -

earliest, along with the consent letter of the dealer. The said order provides that the above order is to be implemented in two stages, namely, the stage of identification of the Self-Registration Dealers, and, secondly, declaration of the same as authorized HSRP affixation centres.

Mr. S.W.A. Qadri, learned counsel appearing on behalf of the Government of N.C.T. of Delhi, submitted that the process required some time, so that the identified dealers could be declared as authorized HSRP affixation centres and, accordingly, prayed for some time so that the matter could be considered and decided, as early as possible.

While neither Mr. Gaurav Bhatia, appearing for the vendor, nor Mr. Krishnamani, appearing for the Traders Association, have any objection to the said proposal, an objection has been raised by Mr. Sunil Fernandes, appearing for the petitioner in the main matter, i.e., M/s. Real Mazon India Limited, to the effect that a similar writ petition has been filed by his client before the Delhi High Court and the matter is awaiting adjudication of the special leave petition itself.

Having regard to the matter of convenience of the purchasers of the vehicles, we are inclined to accept the submission made by Mr. Krishnamani, as supported by the order dated 22nd April, 2013, issued by the Transport Department of the Government of N.C.T. of Delhi.

Let the matter be adjourned for a period of six weeks, to enable the vendor, M/s. Rosmerta HSRP Ventures (P) Limited, to identify the dealers, who

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- 4 -

are to be declared as authorized HSRP affixation centres, and, thereafter the State to take the necessary steps to declare them such authorized centres. While identifying and authorizing the centres, which will enable the dealers to have the HSR number plates affixed at their workshop itself, the extra cost that may have to be incurred for the services to be rendered by a vendor at the premises of the dealers, shall be paid to the vendor by the dealers.

This order is being passed without prejudice to the rights and contentions of the petitioner in the special leave petition. Since in the Delhi High Court, the matter is pending on account of the pendency of the special leave petition, let the special leave petition also be listed for final disposal on 30th July, 2013.

[T.I. Rajput]
Deputy Registrar

[Juginder Kaur]
Assistant Registrar