



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Spl. Appl. Writ No. 1560/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur.
2. Transport Commissioner And Registration Authority (Ats), Department Of Transport And Road Safety, Jaipur.
3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants

Versus

1. Rajasthan Vehicle Fitness Center Nokha, Through Its Proprietor Shiv Lal Dudi S/o Shri Panna Ram Dudi, Aged About 31 Years, Registered Address 134, Ward No.07, Karanpura Sadhuna, District Bikaner.
2. Union Of India, Through Secretary, Department Of Transport And Highway, Govt. Of India, New Delhi.

----Respondents

Connected With

D.B. Spl. Appl. Writ No. 1453/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur
2. Transport Commissioner And Registration Authority (Ats), Department Of Transport And Road Safety, Jaipur.
3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants

Versus

1. Udaipur Fitness Center, Through Its Proprietor Bhupendra Singh Yadav S/o Shri Mangal Singh Yadav, Aged About 52 Years, Registered Address A-198, Mewar Industrial Area Madri, Udaipur.
2. Union Of India, Through Secretary, Department Of Transport And Highway, Govt. Of India, New Delhi.

----Respondents

D.B. Spl. Appl. Writ No. 1539/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur.
2. Transport Commissioner And Registration Authority (Ats), Department Of Transport And Road Safety, Jaipur.
3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants





Versus

1. Navdeep Fitness Test Center, Through Its Proprietor Deepak Somani S/o Shri Radhe Shyama Somani, Aged About 41 Years, Registered Address Adarsh Nagar Dudiya Ka Jav Pipar City, Jaspali, District Jodhpur.
2. Union Of India, Through Secretary, Department Of Transport And Highway, Govt. Of India, New Delhi.

----Respondents

D.B. Spl. Appl. Writ No. 1551/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur.
2. Transport Commissioner And Registration Authority (Ats), Department Of Transport And Road Safety, Jaipur.
3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants

Versus

1. Mahadev Fitness Center, Through Its Proprietor Smt. Kanchan W/o Shri Ashok, Aged About 41 Years, Registered Address Khasra No. 66/1/2, Village Basni Benda, Jodhpur-Jaipur By-Pass Road, Jodhpur.
2. Union Of India, Through Secretary, Department Of Transport And Highway, Govt. Of India, New Delhi.

----Respondents

D.B. Spl. Appl. Writ No. 1557/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur.
2. Transport Commissioner And Registration Authority (Ats), Department Of Transport And Road Safety, Jaipur.
3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants

Versus

1. Royal Motors Fitness Center, Through Its Proprietor Ram Singh Choudhary S/o Shri Ragunath Ram, Aged About 46 Years, Registered Address Mehlawas, District Jodhpur.
2. Union Of India, Through Secretary, Department Of Transport And Highway, Govt. Of India, New Delhi.

----Respondents

D.B. Spl. Appl. Writ No. 1562/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur.
2. Transport Commissioner And Registration Authority (Ats),





Department Of Transport And Road Safety, Jaipur.

3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants

Versus

1. Marwar Fitness Center, Through Its Proprietor Likhma Ram S/o Himata Ram, Aged About 49 Years, R/o Plot No. G-2-224-51, Ricco Industrial Area, Nagaur.
2. Alwar Fitness Center, Through Its Proprietor Shiv Kumar S/o Ram Chandra, Aged About 51 Years, R/o Gayatri Mandir Road, Gauredi Chacha, Degana, District Nagaur.
3. Pawan Vehicle Fitness Centre Private Limited, Through Its Proprietor Pawan Kumar Mittal S/o Narayan Das Mittal 55 Years, Registered Address Balad Road, Near Rto Office, Beawar, Ajmer.
4. Union Of India, Through Secretary, Department Of Transport And Highway, Govt. Of India, New Delhi.

----Respondents

D.B. Spl. Appl. Writ No. 1565/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur.
2. Transport Commissioner And Registration Authority (Ats), Department Of Transport And Road Safety, Jaipur.
3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants

Versus

1. Meera Fitness Center, Through Its Proprietor Indarchand Firoda S/o Shri Sukhdev Ram Firoda, Aged About 50 Years, Registered Adress 01 Nagaur- Ajmer Bypass, Dangawash, Merta City, District Nagaur.
2. Union Of India, Through Secretary, Department Of Transport And Highway, Govt. Of India, New Delhi.

----Respondents

D.B. Spl. Appl. Writ No. 1575/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur
2. Transport Commissioner And Registrartion Authority (Ats), Department Of Transport And Road Safety, Jaipur.
3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants

Versus





1. Vahan Fitness Center, Through Its Partner Shri Rajendra Singh Rathore S/o Shri Richpal Singh Rathore, Aged About 55 Years, registered Address Prabatsar Road, Near Gowsala, Manglana, Nagaur, Rajasthan.
2. Union Of India, Through Secretary, Department Of Transport And Highway, Govt. Of India, New Delhi.

----Respondents

D.B. Spl. Appl. Writ No. 1577/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur.
2. Transport Commissioner And Registration Authority(Ats), Department Of Transport And Road Safety, Jaipur.
3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants

Versus

1. Perna Parivahan Fitness Center, Through Its Proprietor Anil Parihar S/o Shri Ramesh Parihar, Aged About 41Years, Registered Address Khasra No 2287/196,2289/197 Shivgaj Road, Sirohi
2. Shivkraipa Fitness Center Private Limited, Through Its Proprietor Navdeep Lala S/o Shri Shiv Dayal Narayan, Aged About 48 Years, Registered Address Near Jawahar Navodaya Vidyalaya, Mitrapura, N.h.21, Dausa
3. Preksha Parivahan Fitness Center, Through Its Proprietor Inder Chand S/o Shri Sukhdev Ram, Aged About 48Years, Registered Address Khasra No. 80/34/2 Borunda,jodhpur.
4. Union Of India, Through Secretary, Department Of Transport And Highway, Govt. Of India, New Delhi.

----Respondents

D.B. Spl. Appl. Writ No. 1617/2025

1. State Of Rajasthan, Through Its Secretary, Department Of Transport, Government Of Rajasthan, Jaipur.
2. Transport Commissioner And Registration Authority (Ats), Department Of Transport And Road Safety, Jaipur.
3. Additional Transport Commissioner (Rules), Department Of Transport, Jaipur.

----Appellants

Versus

1. Balaji Alliance, Through Its Partner Khoom Singh Solanki S/om Ram Dayal Solanki, Aged About 63 Years, Registered Address Nh- 14, Near Toll Plaza, Swaroopganj, Sirohi.





2. Union Of India, Through Secretary, Department Of Transport And Highway, Govt Of India, New Delhi.

----Respondents

For Appellant(s) : Mr. Deepak Chandak for
Mr. B.L. Bhati, AAG
For Respondent(s) : Mr. Hapu Ram Vishnoi



HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE SANDEEP SHAH

Order

Reportable

07/01/2026

1. The appellants have preferred the present appeals assailing the order dated 25.09.2025 passed by the learned Single Judge of this Court, whereby the writ petitions filed by the petitioners were disposed of.

2. The present controversy has arisen on account of Rule 62(1)(b) of the Central Motor Vehicles Rules, 1989, as amended, which prescribes validity period of fitness certificates for transport vehicles and mandates a transition to Automated Testing Stations (ATS) as the exclusive mechanism for issuance of such certificates. which reads as follows:-

"Rule 62. Validity of certificate of fitness.—(1) A certificate of fitness in respect of a transport vehicle granted under section 56 shall be in Form 38 and such certificate when granted or renewed shall be valid for the period as indicated below:—

(a) new transport vehicle
two years

(b) renewal of certificate of fitness in respect of vehicles mentioned in {a) above



one year

[(**c**) *renewal of certificate of fitness in respect of vehicles covered under rule 82 of these rules*

one year]

(**d**) *fresh registration of same period as in the case of vehicles imported vehicles manufactured in India having regard to the date of manufacture:"*

3. In accordance with the aforesaid Rule, the Government of Rajasthan issued guidelines for the establishment and operation of Automated Testing Stations (hereinafter referred to as "ATS") pursuant to the amended provisions.

4. Learned counsel for the appellants submits that in pursuance of the process initiated for establishment of Automated Testing Stations (ATS) under Rule 62(1)(b) of the Central Motor Vehicles Rules, 1989 and pursuant to the office order dated 02.07.2025, 38 Preliminary Registration Certificates (PRCs) for ATS have already been issued up to 07.01.2026. He submits that other applications are also being decided expeditiously. He also informs that up to 31.07.2025, a total of 168 applications had been received by the appellants for establishment of ATS, out of which, 84 applications were dismissed on the ground that they did not fulfill the basic requirements for establishing ATS, and 46 applications are pending consideration as on date. He further submits that in many of the pending applications, the deficiencies are curable and, as soon as the same are cured, PRCs shall be issued immediately.

4.1 Learned counsel further submits that all remaining applications shall also be decided by the Department strictly in accordance with law. He further submits that the amendment in Rule 62(1)(b) of the Rules of 1989 is in the best interest of road safety, and therefore, no compromise can be made in its





implementation. He further submits that although the Union of India had fixed 01.04.2025 as the deadline for implementation, due to certain operational constraints, the same could not be strictly adhered to; however, the State is now proceeding in full compliance with the ATS regime. He has also drawn the attention of this Court towards the directions earlier issued by this Court on 20.11.2025 passed in D.B. Spl. Appl. Writ No.1577/2025, which read as follows:-

- "1. Learned Government Counsel appearing for the appellant-State assures the Court that they are taking all possible steps for establishing Automated Testing Stations in conformity with the amended rules and office order dated 02.07.2025. He submitted that the applications seeking establishment of Automated Testing Stations in conformity with the rules and office order dated 02.07.2025 are also being processed and shall be decided within a period of 30 days from today.*
- 2. List the matter along with D.B. Spl. Appl. Writ No.1560/2025.*
- 3. In the meanwhile, it is directed that a detailed report shall be furnished regarding the establishment of Automated Testing Stations in conformity with the rules and office order dated 02.07.2025 as well as the status of the applications by the private person seeking establishment of Automated Testing Stations in conformity with the applicable rules.*
- 4. It is also made clear that until such machinery is not there in a particular district, the respondent shall be allowed to operate in conformity with FIJA 2018 scheme through their automated machines.*
- 5. It is needless to say that in cases where the Letter of Authorization (LoA) has already expired, the respondent shall not issue the fitness certificate. However, it shall be open for the appellant to consider the application pending before them."*

4.2 Learned counsel further submits that they are complying with the directions of this Court, whereby the persons possessing





a valid Letter of Authority (LOA) under the "FIJA-2018" Scheme and continuing operations thereunder are permitted to issue fitness certificates only until ATS are established. He further submits that all applications received for establishment of ATS are being processed expeditiously and strictly in accordance with law, and 38 PRCs have already been issued. He further submits that the Regional Transport Offices (RTOs) and District Transport Offices (DTOs) do not possess the requisite equipment to issue fitness certificates in conformity with the amended Rules and are not issuing any such certificates, and the directions of this Court in that regard are being strictly complied with.

5. *Per Contra*, Learned counsel for the respondents, however, submits that the appellants are acting in a *mala fide*, prejudicial and arbitrary manner by granting extensions of LOAs beyond their period of validity under the "FIJA-2018" Scheme, thereby frustrating the object of the amended statutory framework.

6. Since no further material interference with the order passed by the learned Single Judge is called for, assailing which the present appeals have been preferred by the state. However, the appeals of the state are disposed of while clarifying that the order of the learned Single Judge shall now operate as follows:-

(A) The persons possessing a valid LOA under the "FIJA-2018" Scheme shall be permitted to operate their Fitness Testing Stations until at least one Automated Testing Station is established in the concerned District. However, no fresh extension of LOAs under the "FIJA-2018" Scheme shall be granted, even if this results in vehicle owners being required to visit another District for obtaining a fitness certificate.





(B) The applications already received for establishment of ATS, in respect of which 38 PRCs have been issued, shall be processed expeditiously and preferably within a period of 60 days from today.

(C) Upon completion of all requisite formalities by an applicant for establishment of an ATS and submission of the application for Registration Certificate (RC) on the NSW Portal, the competent Authority shall grant the necessary permission within a period of 30 days.

(D) The RTO and DTO authorities, who do not possess the necessary equipment to issue fitness certificates in conformity with the amended Rules, shall not issue fitness certificates.

(E) The Union of India had originally prescribed 01.04.2025 as the deadline for implementation of the scheme of issuance of Certificates of Fitness through Automated Testing Stations (ATS) in the State of Rajasthan. However, in view of the submissions made by the learned counsel for the appellants regarding operational and infrastructural constraints, this Court finds it appropriate to direct that the said scheme shall be strictly and mandatorily made fully operational with effect from 15.04.2026. This Court further clarifies that from the said date, no Certificate of Fitness shall be issued in the State of Rajasthan except through an Automated Testing Station (ATS), in terms of Rule 62(1)(b) of the Central Motor Vehicles Rules, 1989, read with Office Order dated 02.07.2025, notwithstanding the fact that such facilities may be available only at limited locations, and such facilities have to be availed from the nearest operational ATS.





7. The requirement regarding security deposit of Rs.20,00,000/- as upheld by the learned Single Judge, is also affirmed.

8. The applications received for establishment of ATS prior to 31.07.2025 shall be decided by the competent authority on or before 31.01.2026.

9. The appeals and all pending applications stand disposed of accordingly.

(SANDEEP SHAH),J

(DR.PUSHPENDRA SINGH BHATI),J

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