IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19685 of 2026 with CWP Nos. 19986, 19987 and 19695 of 2026

Date of Decision: 05.11.2026

1. CWP No. 19685 of 2026

Tara Devi .....Petitioner

Versus

State of Himachal Pradesh & others ... Respondents

2. CWP No. 19986 of 2026

Ranjit Singh .....Petitioner

Versus

State of Himachal Pradesh & others ... Respondents

3. CWP No. 19987 of 2026

Ms. Savitri Devi .....Petitioner

Versus

State of Himachal Pradesh & others ... Respondents

4. CWP No. 19695 of 2026

Rajesh Patial & another .....Petitioners

Versus

State of Himachal Pradesh & others ... Respondents

Coram:
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting? [1]

For the Petitioner(s): Mr. Ajay Sharma, Senior Advocate with Mr. Atharv Sharma, Advocate.

[1] *Whether the reporters of the local papers may be allowed to see the judgment?*

High Court of H.P.

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For the Respondents: Mr. Anup Rattan, Advocate General with Mr. Rajan Kahol, Additional Advocate General and Mr. Ravi Chauhan, Deputy Advocates General.

Mr. Rajiv Thakur, RTO, Bilaspur, Himachal Pradesh present in person alongwith the record.

Sandeep Sharma, Judge(oral):

Since common question of facts and law are involved in all the above captioned cases, this Court, after having clubbed the same, heard them together and now are being disposed of vide common judgment.

2. Precisely, the grouse of the petitioners, who are private bus operators and were granted permit to ply their buses on the route prescribed in their route permit by Regional Transport Authority, is that Regional Transport Authority, while issuing communication dated 08.10.2026 (Annexure P-5), has not acted in a fair manner inasmuch as it proceeded to adopt a pick and choose policy by restraining petitioners from using Fourlane and to permit other similarly situate corporations i.e., is HRTC, CTU, Haryana Roadways, Punjab Roadways including other private bus operators going to Manali to use Fourlane despite the fact that they also have no permit to ply the bus on Fourlane.

3. It is the admitted case of the petitioners that in terms of the route permit granted in their favour, they are under obligation to

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ply their buses through Swarghat, Gambharpul, Kallar and Panjpeeri, but their precise case is that with effect from November, 2024 they were permitted to use Four Lane from Nauni. However, vide impugned order dated 08.10.2026, they have been asked to stop plying their buses using Fourlane on the ground that the permit granted in their favour casts obligation upon them to go through Nauni, Ghambharpul and Swarghat, whereas other similarly situate corporations i.e., HRTC, CTU, Punjab Roadways and Haryana Roadways, who have also been granted permit to ply their buses through Swarghat, Gambharpul, are being permitted to use Fourlane, which is clear cut discrimination. It also came to be submitted at the behest of the petitioners during proceedings of the case that though petitioners applied for modification of route, but such prayer of them is pending consideration for quite long before RTA.

4. Mr. Ajay Sharma, learned Senior Advocate for the petitioners, apprised this Court that similar prayer made on behalf of the Himachal Road Transport Corporation for modification of route permit has been acceded to.

5. Taking note of aforesaid grievance of the petitioners, this Court vide order dated 04.11.2026, passed in CWP No. 19695 of 2026, titled **Rajesh Patial and another vs. State of Himachal Pradesh and others**, called upon learned Additional Advocate

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General to file short reply/instructions. Pursuant to aforesaid directions, Mr. Rajan Kahol, learned Additional Advocate General has placed on record communication dated 04.11.2026, issued under the signatures of Secretary, Regional Transport Authority, Bilaspur and Sh. Rajiv Thakur, RTO, Bilaspur has also come present with record.

6. Mr. Rajan Kahol, learned Additional Advocate General, on instructions of the officer present in Court as well as written instructions dated 04.11.2026, fairly admits that since November, 2024 petitioners as well as other similarly situate persons had been using Fourlane despite the fact that they were not having valid permit to ply on Four Lane. He states that since on account of plying of buses by the petitioners and similarly situate operators on Four Lane, residents of Ghamberpul, Swarghat, Kallar and Panjpeeri were deprived of regular bus service, they filed an online complaint to Hon'ble Chief Minister, who in turn forwarded the matter to Deputy Commissioner, Bilaspur. Deputy Commissioner, Bilaspur called upon Regional Transport Authority to conduct inspection and challan the vehicles which are plying in violation of their route permit. He states that pursuant to aforesaid directions issued by Deputy Commissioner, vehicles being driven by the petitioners on Four Lane in violation of route permit were challaned and they were further advised not to ply their vehicles on Four Lane. He states that buses of HRTC and other

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private transporters were also challaned for their having plied the buses in violation of route permit.

7. While fairly admitting that some of the HRTC buses have been granted temporary permit in terms of Section 99 of the Motor Vehicles Act, Mr. Kahol states that prayer made on behalf of the petitioners as well as other similarly situate persons for modification of route permit shall also be considered expeditiously. He further states that he has instructions to state that only such vehicles which have permit to ply their buses on Four Lane shall be permitted to ply on Four Lane and all buses which have permit to ply their buses through Swarghat and other stations shall be asked to ply their buses through the route provided in the route permit granted in their favour.

8. Since it is not in dispute that petitioners herein have no valid permit to ply their vehicles on Four Lane, rather as per route permit, they are under obligation to ply their vehicles using Nauni-Swarghat-Gambharpul route, there appears to be no justification to grant the relief as prayed for in the instant petition, but this Court also cannot permit respondent-State to adopt a pick and choose policy while forcing bus operators to ply their buses strictly in terms of the route permit. Since some of the buses of HRTC as well as of CTU, Punjab Roadways and Haryana Roadways do not have permit to ply

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their buses on Four Lane, they also cannot be permitted to use Four Lane till the modification of their route permit.

9. Consequently, in view of above, this Court deems it fit to dispose of the present petitions with the direction to RTO, Bilaspur to ensure that no bus without permit is permitted to ply on Four Lane starting from Nauni and prayer made on behalf of the petitioners, which is stated to be pending consideration for modification of route permit, be decided expeditiously, preferably within a period of four weeks. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of being heard to petitioners as well as other stakeholders and pass speaking order.

10. Superintendent of Police, Bilaspur is also directed to ensure that no bus, be it private or of State Transport Corporations and stage/contract carriage buses, is permitted to ply on Four Lane without valid route permit. Pending applications, if any, also stand disposed of.

List for compliance on 15.12.2026.

(Sandeep Sharma),
Judge

November 05, 2026
(shankar)

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