

Court No. - 32

Case :- WRIT - A No. - 15388 of 2023

Petitioner :- Shubham Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Akhilesh Kumar Singh,Ajit Dwivedi

Counsel for Respondent :- CSC

Hon'ble Salil Kumar Rai,J.

Hon'ble Surendra Singh-I,J.

In pursuance to the previous order passed by this Court, the Standing Counsel has received instructions and has handed over a copy of the same to the Court, which is taken on record.

On the basis of his instructions, the Standing Counsel states that vehicle of the petitioner was registered on 13.10.2023. Necessary document has also been annexed with the instructions received by the Standing Counsel.

In view of the aforesaid, no further orders are required to be passed so far as prayer No. A is concerned.

Counsel for the petitioner has insisted to argue on prayer No. B claiming compensation of Rs. 11 lacs due to inaction of the respondent-authorities in registering the vehicle of the petitioner after its fabrication. The application was submitted for registration after fabrication in August, 2021. The petitioner approached this Court in September, 2023.

There is laches of two years in approaching this Court and the laches have not been satisfactorily explained in the petition. The mere fact that the petitioner had filed a non-statutory representation before the concerned transport authority and had also sent a legal notice to the transport authority, which was not required before filing any petition, is not sufficient to condone the laches in filing the writ petition.

Apart from the aforesaid, the business that would have been done by the petitioner as a result of fabricating the vehicle has not been clearly stated in the writ petition and there no pleadings or facts which could enable the Court to determine the loss suffered by the petitioner because of the delay in registering the vehicle of the petitioner after fabrication. The claim of the petitioner to calculate the loss suffered by him on the basis of the monthly installments paid by the petitioner as repayment of the loan taken by him can not be accepted as the standard to determine the compensation to be paid to the

petitioner would be the loss suffered by him in the business and is not determined on the basis of monthly installments paid by the petitioner.

Due to lack of sufficient pleadings, prayer No. B made by the petitioner can not be granted and is rejected.

The petition is ***dismissed***.

Order Date :- 17.10.2023

Anurag/-