

Court No. - 39

Case :- WRIT TAX No. - 1260 of 2023

Petitioner :- Subhankan Mishra

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Mohd. Hesamuddin Khan

Counsel for Respondent :- C.S.C.

Hon'ble Saumitra Dayal Singh,J.

Hon'ble Shiv Shanker Prasad,J.

1. Solitary grievance of the petitioner appears to be that though the petitioner had surrendered his vehicle / tanker bearing registration no. UP93AT-1878, in accordance with law, on 26.03.2019, neither the respondents have passed any order with respect to the surrender made by the petitioner nor they are dealing with objections filed by the petitioner to the subsequent recovery certificate dated 01.02.2023 issued on 27.03.2023.

2. Thus the petitioner's representation dated 11.09.2023 annexure- 5 is stated to be pending before the respondent no. 2.

3. On the other hand, learned standing counsel points out that petitioner has not addressed the representation to the appropriate authority.

4. Accordingly, in view of such facts, no useful purpose may be served in keeping this petition pending or calling for a counter affidavit at this stage.

5. The writ petition is **disposed of** with the direction, in case the petitioner files a fresh representation referable to Rule 22A of U.P. Motor Vehicle Taxation Rules, 1998, before the respondent no. 2 supported by his personal affidavit, annexing thereto all relevant documents on which he seeks to rely, within a period of two weeks from today along with a copy of this order, that representation may be dealt with and decided on its own merit as expeditiously as possible, preferably, within a period of two months from the date of compliance shown by the petitioner.

6. For a period of three months or disposal of the representation, whichever is earlier, no coercive measure shall be adopted against the petitioner pursuant to the recovery certificate dated 01.02.2023..

Order Date :- 2.11.2023

SK Srivastava

(Shiv Shanker Prasad,J.).. . (S.D. Singh,J.)