

Court No. - 40

Case :- WRIT - C No. - 38431 of 2023

Petitioner :- Anoop Keshewani

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Ajay Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Sri Ajay Kumar, learned counsel for the petitioner and Ms. Uttara Bahuguna, learned Additional Chief Standing Counsel for the State respondents.

2. By means of this writ petition the petitioner has prayed for mandamus commanding the respondent nos.2 and 3 to release the truck bearing truck no.U.P. 70 GT 0414, which according to him is in custody of respondent no.4 since 04.10.2023.

3. In view of the order proposed to be passed no notice is required to be issued to respondent nos.4 & 5.

4. Learned counsel for the petitioner submits that the petitioner is owner of truck no.U.P. 70 GT 0414, the respondent no.4, who is a trader has sent the rice by aforesaid truck to Sidhi Madhya Pradesh. He further submits that the truck has returned unloaded from Sidhi Madhya Pradesh to Bharwari, District Kaushambi on 04.10.2023 as the trader concerned has refused to take the rice and since then the truck is in custody of respondent nos.4 and 5. He also submits that even though the petitioner has moved several applications before the police authorities in this regard but no action has been taken till now.

5. Learned ACSC submits that in case, the petitioner has any grievance he can move a fresh representation before the competent authority for redressal of his grievance, which would be considered as per law.

5. Considering the facts and circumstances, we deem it appropriate to permit the petitioner to file a fresh representation before the respondent no.2, Superintendent of Police, Kaushambi within a period of two weeks from today ventilating his grievance. In case, any such application is filed, we hope and trust that the same would be processed expeditiously

as per law but certainly after affording opportunity to all Stakeholders, specially respondent nos.4 and 5, preferably within a period of four weeks thereafter.

6. With the aforesaid observation, the writ petition is ***disposed of***.

Order Date :- 7.11.2023

S.P.