

Court No. - 32

Case :- WRIT - A No. - 19507 of 2023

Petitioner :- Jay Singh

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Atul Pandey, Akshay Gupta

Counsel for Respondent :- C.S.C.

Hon'ble Salil Kumar Rai, J.

Hon'ble Surendra Singh-I, J.

The grievance of the petitioner in the present petition is that he has given loading permit for registered weight and he should have given loading permit for 54 tons.

In pursuance to the previous order passed by this Court, the Standing Counsel has obtained instructions and on the basis of his instructions states that in accordance with the notification dated 18.7.2018 issued by the Ministry of Road Transport & Highways, the difference is because of the pneumatic suspension.

As the petition involves disputed question of facts, the petitioner may exercise his remedy of appeal under Section 57 of the Motor Vehicles Act, 1988.

In view of the availability of alternative remedy to the petitioner, it is not a fit case for interference by this Court under Article 226 of the Constitution of India.

The petition is **dismissed**.

Order Date :- 5.12.2023

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