

Court No. - 16

Case :- MATTERS UNDER ARTICLE 227 No. - 4342 of 2024

Petitioner :- Matin Ahmad

Respondent :- District Magistrate, Balrampur

Counsel for Petitioner :- Iqbal Ahmad, Amanur Rahman

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed,J.

Heard Shri Iqbal Ahmad, learned counsel for the petitioner and Shri Hari Shankar Bajpai, learned A.G.A-I for the State and perused the record.

The present petition has been filed with limited prayer for a direction to the concerned authority/court to decide the Case No.D20230810000752 (State vs. Meteen Ahmad) for the release of vehicle bearing Registration No.UP 15 ET 1874, which was seized in consonance of FIR No.154/2023, Police Station-Rehra Bazar, District-Balrampur, which is pending before the respondent i.e. the District Magistrate, Balrampur since 13.09.2023, within a stipulated period.

Learned Counsel for the petitioner submits that a release application dated 13.09.2023 for release of vehicle bearing Registration No.UP 15 ET 1874 has been filed by the petitioner before the District Magistrate, Balrampur, however, till date no order has yet been passed by the District Magistrate, Balrampur on the said application and the said application is pending since one year. He further submits that the District Magistrate, Balrampur, is sitting tight over the matter and due to passage of time, the said vehicle may get damage and turn into a scrap, thus, he submits that a positive direction be issued to the respondent i.e. the District Magistrate, Balrampur to decide the aforesaid release application of the petitioner within a stipulated period as fixed by this Court, in the interest of justice.

Learned A.G.A-I for the State-respondent also made an agreement with the submission advanced by learned Counsel for the petitioner and submits that the release application of the petitioner is pending for about one year now, thus, this Court may issue a positive direction to the District Magistrate, Balrampur to decide the aforesaid application of the petitioner within a stipulated time period as the vehicle in question may turn into a scrap due to passage of time.

In view of the aforesaid, the District Magistrate, Balrampur is directed to decide the aforesaid release application of the petitioner with utmost expedition preferably within a period of three months from the date a certified copy of this order is produced before him, without granting any unnecessary adjournments to either of the parties, in case there is no other legal impediment.

It is made clear that this Court has not adjudicated anything on the merit of the case.

With the aforesaid observation/direction the petition is **disposed of.**

Order Date :- 10.9.2024

Piyush/-