

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19441 of 2019

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Shyam Narayan Prasad son of Late Bulaki Mahto resident of Village and Post
Office- Parthu, P.S.- Ekangarsarai, District- Nalanda, State- Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Bihar State Transport Commissioner, Bihar, Patna.
2. The Bihar State Transport Commissioner, Bihar, Patna.
3. The District Transport Officer, Nalanda at Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Birmani Kumar, Advocate

For the Respondent/s : Mr.Anil Kr. Singh (GP-26)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-01-2020 The petition filed on 18.09.2019 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:

“For issuance of writ in the nature of writ of



mandamus or an appropriate writ, order or direction to the respondents to exempt/waive/condone the road tax and extra/additional tax (like fitness tax) etc. of two trucks nos. B.R.-21C-8551 and BR-21D-5851 with effect from 19.07.2010 to 09.07.2019 since both the trucks were seized on 19.07.2010 in Dharhara P.S. Case No. 91/2010 (under District Munger) and since then transportation/running of both the trucks on road was closed till 09.07.2019. ”

Learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the appropriate authority to consider and decide the petitioner's request, which the petitioner has already made, as also shall be making afresh within a period of two weeks from today.

As such, as mutually prayed for, the petition is disposed of in the following manner:-

(a) Within two weeks from today, petitioner shall approach the competent authority and make a fresh request for redressal of his grievance, more so, in the light of communication dated 20th of December, 1990 (Page-44 of the Paper Book)

(b) Upon receipt thereof, the appropriate authority shall consider and decide the same, in accordance with law, expeditiously and positively within a period of three months.



(c) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

P.K.P./-

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