

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11540 of 2021

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Yusuf Khan, S/o Basarat Hussain Khan, At-P.C. Colony, Kankar Bagh, P.S.-
Kankarbagh, At present Rajapur, P.S.-Rajapur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Transport Department, Govt. of Bihar, Patna.
2. State Transport Commissioner, Transport Department, Govt. of Bihar, Patna, Bishwesraiya Bhawan, Bailey Road, Patna.
3. District Transport Officer, Patna, At-Biscoman Bhawan, West Gandhi Maidan, Patna.
4. Motor Vehicle Inspector, Patna, At-Biscoman Bhawan, West Gandhi Maidan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Singh, Advocate
		Mr. Sheopujan Singh, Advocate
For the Respondent/s	:	Mr.Raghvendra Kumar, SC 22

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-07-2021

The petitioner has prayed for the following relief/s :-

“That this is an application to pass appropriate writ or writs, order of orders and direction or directions in the nature of mandamus directing upon the Respondents No.2 and 3 to accept the Road tax and Additional Tax without fine from 29.03.2013 to up till now, and issue tax token and further order may be also passed to exempt the fine on certificate of fitness relating with Bus No. BR-01 PC-5831.”

After the matter was heard for some time, learned



counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation, which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

- (a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);
- (b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;



- (c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;
- (d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;
- (e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;
- (f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;
- (g) We have not expressed any opinion on merits. All issues are left open;
- (h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;



The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

