

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11682 of 2022

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Ram Lakhan Sah, son of Harish Chandra Sah, Resident of Village -
Majhaulia, P.S. Vijaypur, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Transport Department, Patna, Bihar.
2. The District Transport Officer, Siwan.
3. The Motor Vehicle Inspector, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Respondent/s : Mr. Raghwendra Kumar, SC-22

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-08-2022

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

“for quashing the online challan, dated 11.09.2021, issued by Motor Vehicle Inspector Siwan in which the Motor Vehicle Inspector Siwan has imposed Rs.10,2500/- as fine on the truck of the petitioner bearing registration No. UP-52T-7809 for loading of sand approximately 10 Ton (over) for the offence committed under sections 177, 179, 194 (1), 192 (a), 180, 194 (2) of Motor Vehicle Act, 1988.”

After the matter was heard for some time, finding the Court not to be in favour with the submissions made



across the Bar, learned counsel for the petitioner, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law more specifically under the provisions of the Motor Vehicles Act, 1988.

Permission granted.

Petition stands disposed of in the aforesaid terms.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate proceedings.

Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	25.08.2022
Transmission Date	

