

WPA 23769 of 2022

Md. Barkat Ali & Ors.
Vs.
The State of W.B. & Ors.

Mr. Mohinoor Rahaman
Ms. Maria Rahaman
Ms. Iqra Rahaman ...for the petitioners.

Mr. Amal Kr. Sen
Mr. L. M. Basu ...for the State.

Heard learned counsels for the parties.

The petitioners refer to a notification issued by the Ministry of Road Transport and Highways on 16th July, 2018 which indicates that for the purposes of this notification, tolerance upto five per cent. in the gross vehicle weight shall be allowed for the purpose of compliance to sub-section (3) of section 113 of the Motor Vehicles Act, 1988.

It is submitted on behalf of the petitioners that the local authorities are acting in violation of the said clause.

It is submitted on behalf of the respondents that no instance has been placed before the Court suggesting any such violation or prevention by the local authority to the petitioners or any of them, in violation of the said clause.

Learned counsel asserts that the said notification is adhered to by the authority in its letter and spirit.

In view of the submission made on behalf of the respondents, nothing further remains to be adjudicated in the present writ petition.

Accordingly, WPA 23769 of 2022 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)