

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 13559 of 2022

Ansuddin Khan

....

Petitioner

Mr. Kapila Charan Nayak, Advocate

-versus-

R.T.O., Jagatsinghpur

....

Opposite Party

Mr. Pravakar Behera, SC(Transport)

**CORAM:
JUSTICE M.S.SAHOO**

**ORDER
31.5.2022**

Order No.

1. This matter is taken up by hybrid mode.
2. Learned counsel for the petitioner submits that the petitioner is aggrieved by the order as at Annexure-2, i.e., Vehicle Checking Report dated 24.5.2022 (Annexure-2) with respect to vehicle No. OR09E3375 owned by the petitioner for loading excess black stone chips, weight of which is also indicated as per the weighing slip No.35163 dated 24.5.2022.
3. Learned Standing Counsel (Transport) submits that without complying with the statutory procedure, petitioner has straight away moved the High Court and if the petitioner moves the authority, appropriate decision shall be taken in accordance with law.
5. In view of submission made at the Bar, the writ petition is disposed of at the stage of admission observing that the petitioner shall move the authority for compliance of the conditions of the statute regarding removal of the excess weight carried as well as payment of the amount i.e. under section 194(1) of the Motor Vehicles Act, 1988.

6. It is observed that the authority shall do well to deal with the matter expeditiously and pass order regarding release of the vehicle as well as goods in accordance with law.

7. The writ petition is disposed of accordingly.

Urgent certified copy of the order may be granted on proper application.

Copy of the order be uploaded in the official website.

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(M.S.Sahoo)
Vacation Judge