

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1429 of 2026

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Mukesh Kumar son of Sudhir Yadav, Resident of village- Aanandpur P.O.
Gavai, P.S.- Suryagarha, District- Lakhisarai

... .. Petitioner/s

Versus

1. The State Transport Commissioner, Govt. of Bihar, Patna.
2. The District Officer-Cum-District Magistrate, Lakhisarai.
3. The District Transport Officer, Lakhisarai.
4. The Union of India through Secretary, Ministry of Road Transport
Department and High- Way, Government of India, New Delhi
5. The S.H.O. Suryagarha P.S. Lakhisarai, District Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Sinha
For the State	:	MD. Zeeshan Kalam (AC to SC-20)
For the Respondent(MORTH)	:	Mr. Anshay Bahadur Mathur (C.G.C)

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

5 24-07-2026 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. With the consent of both the parties, this writ
application is being disposed of at the admission stage itself.

3. In the present writ application, the petitioner has
prayed for grant of following reliefs:-

*(i) To issuance of writ in the nature of
mandamus directing and commanding the
respondents to pay fixed compensation
amount Rs. 2,00,000/- to the petitioner in
terms of Hit and Run, Motor accident
scheme 2022 vide its notification dated 25
February 2022 for which the petitioner has
filed an application under the prescribed*



format i.e format-1 (Para 20(i)) on 24-9-24 alongwith all relevant documents before the concerned authority i.e Respondent No. 3 but till date the grievances of petitioner is still pending because respondents are sitting tight over the matter.

(ii) For issuance of any other writ/writs order/order direction/directions as your lordships may deem fit and proper.

4. At the outset, learned counsel appearing on behalf of respondent referring to paragraph 6 of the counter affidavit, submits that the matter is *sub judice* before the Bihar Motor Accident Tribunal Munger, *vide* application No. MUNG0080/2026 dated 12.03.2026, which would be evident from the letter no. 355 dated 17.03.2026 Annexure B/2 to the counter affidavit. Therefore, this writ application does not require interference of this Court at this stage as it deserves to be dismissed.

5. Considering the aforesaid fact that the application has already been filed by the petitioner raising the claim as raised in the writ application before the Bihar Motor Accident Tribunal, Munger and the matter is *sub judice* before the tribunal, this court is of the considered opinion that it would not be proper to be allowed to run parallel proceedings simultaneously or interfere in the matter while an active case is already ongoing before the Tribunal as this writ application



would amount to a premature application because of the fact that the proceeding before the Tribunal has not yet reached to the final conclusion.

6. Accordingly, this writ application is dismissed, merely on the ground that the matter is *sub judice* before the Tribunal.

(Girijish Kumar, J)

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