
(1987) 08 AHC CK 0010

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 591 of 1987

Bhagwan Das

APPELLANT

Vs

The Union of India (UOI) and Others

RESPONDENT

Date of Decision : 12-08-1987

Acts Referred:

Citation : (1988) 16 ECR 97

Hon'ble Judges : V.K. Mehrotra, J; R.R. Misra, J

Bench : Division Bench

Judgement

1. When this case was taken up today, a counter affidavit was filed on behalf of the respondents. Shri A.P. Mathur, learned Counsel appearing for the petitioner, stated on a query made by the Court, that he does not want to file a rejoinder affidavit and that the matter be heard today.

2. We have heard Shri A.P. Mathur and have considered the averments made in the petition and the counter affidavit. We find that the matter is being dealt with by the Department itself we feel that it is appropriate that the respondents take a decision in the Petitioner's matter at a very early date and that we should not intervene in the matter at this stage.

3. One of the prayers, which was made on behalf of the petitioner, was that we should direct the respondents to release the petitioner's truck provisionally. We are of the opinion that the petitioner should make a fresh proper application in this regard before the Departmental authority concerned, who shall, as also stated by the learned Counsel for the respondents, take a decision thereon within a month from the date on which the application is presented before the authority. Learned Counsel for the respondents has also assured us that the respondents have no intention of prolonging the proceedings unduly, as is being suggested by Shri Mathur on behalf of the petitioner. We see no reason to doubt that the respondents will dispose of the petitioner's matter as expeditiously as possible.

4. With these observations, we dispose off the petition finally today.

5. A copy of this order may be made available to the learned Counsel for the parties within three days on payment of usual charges.