

(2008) 12 AHC CK 0167
In the Allahabad High Court

Natthoo Singh

APPELLANT

Vs

State of U.P.and others

RESPONDENT

Date of Decision : 05-12-2008

Acts Referred:

Citation : (2008) 12 AHC CK 0167

Hon'ble Judges : Rajiv Sharma, J

Final Decision : Dismissed

Judgement

Rajiv Sharma, J.

Notices on behalf of the respondents have been accepted by the learned Standing Counsel.

Heard learned counsel for the petitioner and the learned Standing Counsel for the respondents.

Learned counsel for the State has raised a preliminary objection against the maintainability of the present petition on the ground that the impugned order is appealable and no appeal having been preferred, the petition challenging the order of suspension of licence dated 5.9.2008 is not maintainable.

Learned counsel for the petitioner could not satisfy the Court as to why the petitioner be relegated to the remedy of appeal.

I, therefore, dismiss the writ petition with liberty to the petitioner to file an appeal. In case the appeal is filed within a period of two weeks from today, the same shall not be rejected merely on the ground of limitation but shall be considered on merits expeditiously.

The petitioner may also move appropriate application for interim relief alongwith the appeal and if the same is filed, it shall be considered by the appellate authority.