

Court No. - 34

Case :- WRIT - A No. - 5325 of 2020

Petitioner :- Mohd. Kamar

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Kamleshwar Singh, Zafeer Ahmad

Counsel for Respondent :- C.S.C.

Hon'ble Mrs. Sunita Agarwal, J.

Hon'ble Vivek Varma, J.

Heard learned counsel for the petitioner and learned Standing Counsel.

The petitioner herein claims to be owner of a Goods carrier (Truck Motor Vehicle No. NL01 Q8570) and stated to be permanent resident of Moradabad in the State of U.P.

The contention is that the petitioner was doing his business at some point of time at Kohima in the State of Nagaland and as such, the vehicle in question was registered in the said State. Now the petitioner has changed the place of his business and moved an application before the Regional Transport Officer, Moradabad for registration of the vehicle in the State of U.P. and change of address of the said vehicle in the State. On said application, certain communications were made by the parties. Ultimately on 18.3.2020, the petitioner has submitted Form-33 under Rule 59 of the Motor Vehicle Rules in the Motor Vehicles Act.

The submission of learned counsel for the petitioner is that the Regional Transport Officer, Moradabad is the competent authority to process the request of the petitioner in accordance with Section 48 of the Motor Vehicles Act.

Only prayer made in the present writ petition is to issue a direction to the Regional Transport Officer, Moradabad to take an expeditious decision, in accordance with law.

To this submission, learned Standing Counsel has no objection.

In view of the above, the present writ petition is being **disposed of** with the directions as follows:-

(i) The petitioner shall move an application alongwith the copy of this order before the Regional Transport Officer, Moradabad within a period of two weeks from today.

(ii) On submission of the same, the Regional Transport Officer shall take an expeditious decision, preferably, within a period of four weeks from the date of submission of copy of this order.

Due intimation shall be given to the petitioner about the order passed by the Regional Transport Officer immediately thereafter.

Order Date :- 31.7.2020

Brijesh