

(2020) 12 PAT CK 0300

Patna High Court

Case No: Civil Writ Jurisdiction Case No. 15267 Of 2019

Arvind Kumar

APPELLANT

Vs

Union Of India And Ors

RESPONDENT

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**Date of Decision:** Dec. 8, 2020**Hon'ble Judges:** Sanjay Karol, CJ; S. Kumar, J**Bench:** Division Bench**Advocate:** Prabhat Ranjan Singh, Ajay Kumar Rastogi**Final Decision:** Disposed Of

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### Judgement

Petitioner has prayed for the following relief(s):-

1. That, petitioner above named by filing this writ petition prays for commanding and directing the respondents to make a provision in the Motor Vehicle Act for fixing a limit of possession of maximum two number of private vehicle for each of the individual/citizen of India, and further for making a mandatory provision for those people who are going to purchase private vehicle that they shall undertake before the Transport Authority that they have sufficient own land for parking their purchased vehicle, and as such they shall not park their vehicle on public roads and to levy cost and fine on those who do the same on public road, and also to fix public parking at public places, AND for any other relief(s) for which petitioner is found entitled in the facts and circumstances of this case.

Learned counsel for the State opposes the petition stating that the petition is misconceived; raises disputed question of fact; is not in public interest; and that the issue can be best resolved at the local level by the appropriate authorities.

We find that the interest of justice should be best served, if petitioner approaches the respondent no. 4 within a period of four weeks for venting out

his all rights and grievances also pointing out issues of public interest, including the subject matter of the present petition.

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it

of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same

shall be dealt with, in accordance with law and with reasonable dispatch.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the

parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits. All issues are left open.

The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree

to meet in person i.e. physical mode.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.