

ITEM NO.12 Court 9 (Video Conferencing) SECTION X

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).1366/2021

BIHAR TRUCK OWNERS ASSOCIATION Petitioner(s)

VERSUS

THE STATE OF BIHAR & ORS. Respondent(s)

(FOR ADMISSION and IA No.165581/2021-EX-PARTE STAY and IA No.165582/2021-EXEMPTION FROM FILING O.T.)

Date : 03-01-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VINEET SARAN  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. C.U. Singh, SR. Adv.  
Ms. Bansuri Swaraj, Adv.  
Mr. Siddhesh Kotwal, Adv.  
Ms. Ana Upadhyay, Adv.  
Ms. Manya Hasija, Adv.  
Ms. Pragya Barsaiyan, Adv.  
Mr. Akash Singh, Adv.  
Mr. Nirnimesh Dube, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

The petitioner is an association which had filed a writ petition before the Patna High Court challenging the notification of the State of Bihar dated 16.12.2020 whereby trucks of 14 wheels and more have been prohibited from transporting sand and stone chips, and also fixed the body height of truck of six wheels and 10 wheels to maximum limit. The said writ petition filed by the writ petitioner remained pending and thus the petitioner had earlier approached this Court by filing Writ Petition (C) No.199 of 2021

which was disposed of by this Court on 17.02.2021 with the observation and request to the High Court to decide the matter at an early date.

It is contended that more than 10 months had passed but nothing has proceeded in the matter except for direction to implead certain parties, which the petitioner has already impleaded.

Alongwith this writ petition, the petitioner has filed a case history proceeding of the writ petition in question before the Patna High Court, which shows that the matter has already been adjourned from time to time and despite the writ petition having been listed on more than two dozen dates, the matter has not been heard and decided.

Having heard learned counsel for the petitioner and considering the facts of this case, we would not be inclined to entertain this petition under Article 136 of the Constitution of India on merits. However, we dispose of this writ petition with the request to the High Court to decide the CWJC No.4310/2021 of the petitioner pending before the High Court. The petitioner is granted liberty to file an application for expeditious disposal of the writ petition alongwith the certified copy of this order before the Chief Justice of the Patna High Court. We hope and trust that the Chief Justice of the Patna High Court will ensure that either the writ petition itself is disposed of expeditiously, preferably within eight weeks from filing of such application, or the application of the petitioner for grant of interim order is considered within the said period.

With the aforesaid observation, the writ petition is disposed

of.

Pending application(s), if any, stands disposed of.

(ARJUN BISHT)  
(COURT MASTER (SH))

(PRADEEP KUMAR)  
(BRANCH OFFICER)

(ASHWANI THAKUR)  
AR-CUM-PS