

M.A.C. Case no.128 of 2023
CNR-WBBD01-002282-2023

Order no. 14 dated 15/12/2025

On casual inspection it appears that there are few accidental omission and clerical mistakes in the order no. 13 dated 08/12/2025 which is required to be modified at once . Accordingly, the order dated 08/12/2025 is hereby modified.

Dict. & Corrected by
sd/-

Judge, M.A.C.Tribunal 1st Court,
Burdwan

sd/-

Judge, M.A.C.Tribunal 1st Court,
Burdwan
JO-WB00702

Order No. 15 Dated 15/12/2025

Today is fixed for awaiting report from Officer-in-charge, Illambazar PS.

Heard Ld. Advocate for the claimants/petitioner who submitted in open court that inspite of a specific order passed by this Court dated 16/01/2025, no report has been submitted by the Officer-in-charge, Illambazar PS till this date and accordingly, prayed for passing necessary order.

Perused the materials on record carefully. On perusal, it reveals from the record that this Court was pleased to pass an order **vide order no. 10 dated 16/01/2025** with a specific direction upon the Officer-in-charge, Illambazar PS for furnishing the necessary copies of the police report in connection with **Illambazar PS case no. 71 of 2023** under the provision enumerated **u/s 54 of Motor Vehicles Rules , 1989 (in short M.V.Rules) read with provision of Section 158(6) of Motor Vehicles Act (in short M.V.Act)** as well as the direction given by the **Hon'ble Supreme Court in Gohar Mohammad -vs- State of Uttar Pradesh, Road Transport (Civil Appeal no. 9322 of 2022 on 15th December, 2022)** and the copies of the order were duly communicated **vide process no. 35 dated 16/01/2025 and process no. 485 dated 17/08/2025** .

It is very pertinent to mention here that despite repeated directions and reminders, the Officer-in-charge of the concerned PS of his lackluster and lackadaisical conduct did not turn up and as such the claimants/petitioner of the instant case are suffering for years together.

In the above circumstances, another opportunity is given to the Officer-in-charge, Illambazar PS to comply the aforesaid order as well as to comply the **solemn order of the Hon'ble Apex Court** as reported in **Gohar Mohammad case (supra)** in default, necessary order will be passed.

Let a copy of this order be sent to the Officer-in-charge, Illambazar PS at once for his information with a direction to submit the necessary copies of the police report as mentioned above.

Another copy of this order be sent to the Superintendent of Police, District- Birbhum with a request to look into the matter personally and to take necessary steps in this regard so that the solemn order of the **Hon'ble Supreme Court** shall be complied with. This is for his information and necessary action.

Fix 29/01/2026 for awaiting police reports along with compliance report of the Officer-in-charge, Illambazar PS i.d. necessary order.

Dealing Assistant is directed to upload the said order afresh in CIS. Let the copies of this order be sent through District Nazir, Purba Bardhaman.

Dict. & Corrected by

sd/-
Judge, M.A.C.Tribunal 1st Court,
Burdwan

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Judge, M.A.C.Tribunal 1st Court,
Burdwan
JO-WB00702