

IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE,
FAST TRACK 1ST COURT, ALIPURDUAR.

MACC -95/22

CIS – 95/22

Order

04.04.23

Ld. Lawyer for the Petitioner is present by filing hazira.

Petitioner files two petitions one under rule 331(2) of the West Bengal M.V. Rule, 1989. R/W. Sec. 151 of CPC. and another petition U/S. 158(6) M.V. Act., 1988.

Heard, perused and considered.

It was contended by the petitioners in one application U/S. 331(2) of M.V. Act. that due to financial crisis the petitioners were unable to file the court fees at the time of filing the instant case, but they undertake to file the court fees on a subsequent dates.

The prayer of the petitioners being formal and innocuous, I am inclined to allow the same.

By filing another application U/S. 158(6) M.V. Act. it was contended by the petitioners that Kalchini P.S. did not produce the accident information report in Form No. 54 accompanied by the attested copies of the related documents of the offending vehicle bearing No. WB-70P-7461 which was seized in connection with Kalchini P.S. case No. 78/2021, dated 30.06.2021 in compliance with the provision of Section 158(6) and Section 166(4) of the M.V. Act.

It appears that the instant application is bona fide having same merit and accordingly, I am inclined to allow the same.

Hence, it is,

Ordered

that both the application under rule 331(2) of West Bengal M.V. Act and U/S. 158(6) M.V. Act. as filed by the petitioner/claimant is hereby considered and allowed.

Consequently, the petitioner is hereby directed to file court fees before pronouncement of judgment of the case.

Officer-in-Charge, Kalchini P.S. is directed to submit the accident information report in Form No. 54 of Central Motor vehicle Rules 1989 accompanied by the attested copies of related documents of the offending vehicle bearing No. WB-70P-7461 which was seized in connection with Kalchini P.S. case No. 78/2021, dated 30.06.2021 in compliance with the provision of Section 158(6) and Section 166(4) of the M.V. Act. positively by 16.06.2023.

Inform Officer-in-Charge, Kalchini P.S. by sending a copy of this order for strict compliance.

Requisites has not been filed.

Petitioner to file the same

Fix on 16.06.2023 for Requisite/S.R. and report.

Dictated & Corrected by me.

Addl. Dist. & Sessions Judge,
FTC-I, Alipurduar,

Addl. Dist. & Sessions Judge,
FTC-I, Alipurduar,

Forwarded to,

O/C. Kalchini PS. for Compliance.

