

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.258 OF 2010  
(For Prel. Hearing)

PRADIP GUPTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for stay/direction and office report)

Date: 09/08/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN  
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s) Mr. Arunabh Choudhury, Adv.  
Mr. Anupam Lal Das, Adv.  
Mr. Raktim, Adv.  
Mr. G. Panmie, Adv.

For Respondent(s)

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

Having heard learned counsel at length, we permit the petitioner to withdraw this writ petition.

One of the points, which has been raised in this petition, is that the States are allowing over-loading of the trucks and thereafter on the

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highway the goods are off-loaded without proper infrastructure being put in place. It is in this context that the Court raised the query as to why the trucks in the first instance are over-loading and the learned counsel has stated that such over-loading is being allowed in breach of statutory provisions under the Motor Vehicles Act. If that be the case, it would be open to the petitioner to move the High Court under Article 226 of the Constitution with regard to illegal over-loading of trucks, as alleged.

Subject to above, this writ petition is dismissed as withdrawn.

[ Alka Dudeja ]  
A.R.-cum-P.S.

[ Madhu Saxena ]  
Assistant Registrar