



CGHC010318172026



2026:CGHC:38533-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WA No. 798 of 2026

Smt. Rekha Singh W/o Dinesh Singh Aged About 49 Years R/o Village -
Dheka, Indra Awas, Post - Darrighat, Police Station - Torwa, Tahsil And
District Bilaspur Chhattisgarh

... Appellant(s)

versus

- 1. State of Chhattisgarh Through Secretary, Department of Transport, Secretariat, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh
- 2. Transport Commissioner Office of Transport Commissioner, Indravati Bhavan, 3rd Floor, C-Block, Atal Nagar, District Raipur Chhattisgarh (Wrongly Mentioned As Bilaspur Chhattisgarh)
- 3. Regional Transport Officer Office Of The Regional Transport (RTO) Lagra, Bilaspur, Tahsil And District Bilaspur Chhattisgarh

...Respondent(s)

(Cause-title taken from Case Information System)

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For Appellant	:	Mr. Malay Shrivastava, Advocate.
For Respondent/State	:	Mr. S.S. Baghel, Government Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge
Judgment on Board

Per Ramesh Sinha, Chief Justice

01.09.2026

1. Heard Mr. Malay Shrivastava, learned counsel appearing for the appellant. Also heard Mr. S.S. Baghel, learned Government Advocate, appearing for the State.
2. The present intra-Court appeal has been preferred by the appellant assailing the order dated **23.06.2026** passed by the learned Single Judge in **WPC No. 2185 of 2022 (*Smt. Rekha Singh vs. State of Chhattisgarh & Others*)**, whereby the writ petition preferred by the appellant/writ petitioner herein came to be disposed of.
3. Learned counsel for the appellant submits that the grievance of the appellant before the learned Single Judge was essentially against the inaction on the part of the Regional Transport Office, Bilaspur, in effecting change of address in respect of the vehicle bearing registration No. UP-72-D-9001. It is submitted that the appellant had purchased the vehicle for earning livelihood for herself and her family members and, after bringing the vehicle to Bilaspur from Pratapgarh, had applied for change of address in the month of May, 2014 after depositing the requisite quarterly tax.
4. It is further contended by the learned counsel for the appellant

that although the quarterly tax was paid up to June, 2014, the information regarding registration of change of address was issued only on 13.01.2016, i.e. after a lapse of about one and a half years. During this period, the vehicle could not be operated on account of the change of address having not been effected, resulting in financial loss to the appellant. Thereafter, the appellant was informed that an amount of Rs.2,64,918/- towards tax was outstanding as on 31.07.2019.

5. Learned counsel for the appellant further submits that the respondents themselves conducted an inquiry pursuant to the complaint made by the appellant, and the inquiry report dated 09.10.2019 specifically recorded negligence and lack of responsibility on the part of the then concerned Branch In-charge of the office of the Regional Transport Officer, Bilaspur. The report also noticed that the original file relating to the vehicle was not available in the office and, consequently, it could not be ascertained as to what action had been taken on the appellant's application. It is argued that there is no denial by the respondents to the findings recorded in the said inquiry report. He also contended that the learned Single Judge, by order dated 18.06.2026, had directed the Regional Transport Officer, Bilaspur, to remain present and explain the circumstances leading to the delay, negligence and inaction in dealing with the appellant's application and had also called upon the authorities to explain why exemplary costs of Rs.20,00,000/- should not be imposed. However, on 23.06.2026, without examining the matter on its merits, the writ petition was dismissed and the appellant was relegated to avail the remedy of a civil suit.

6. According to learned counsel for the appellant, the learned Single Judge failed to appreciate that there was no disputed question of fact requiring adjudication by a civil Court. The material facts, including the delay in processing the application and the negligence noticed in the departmental inquiry, stood admitted and were borne out from the record. In such circumstances, it is contended that the extraordinary writ jurisdiction of this Court could be exercised for granting appropriate relief, including compensation, particularly where the loss suffered by the appellant was attributable to the inaction and negligence of the respondent authorities.

7. It is, therefore, argued that the impugned order, having been passed without considering the merits of the appellant's grievance and the findings recorded in the inquiry report, is arbitrary and contrary to the facts and circumstances of the case. The learned Single Judge, according to the appellant, ought to have considered the admitted material on record and determined whether the appellant was entitled to appropriate relief in exercise of writ jurisdiction instead of relegating her to the remedy of a civil suit.

8. Learned State counsel, opposing the appeal, submits that the learned Single Judge has rightly appreciated the controversy involved in the matter. It is submitted that the question as to whether the appellant actually suffered the alleged financial loss and, if so, the extent thereof and its direct attribution to any particular officer would require proper adjudication on the basis of evidence. It is further submitted that the

person allegedly responsible for the delay has not been impleaded as a party and, therefore, the appellant has rightly been relegated to the remedy of a civil suit for claiming compensation.

9. We have heard learned counsel for the parties and perused the material available on record, including the order passed by the learned Single Judge.

10. From the facts available on record, it is apparent that the appellant had approached the learned Single Judge seeking compensation of Rs.20,00,000/- on account of the alleged loss suffered due to delay in effecting change of address of the vehicle. The record also indicates that an inquiry was conducted, wherein negligence on the part of the then concerned Branch In-charge was noticed. However, the said inquiry report by itself does not determine the actual financial loss allegedly suffered by the appellant, nor does it quantify the compensation payable to her.

11. In our considered opinion, merely because certain aspects relating to the delay and negligence have been noticed in the inquiry report, it cannot be said that all the questions necessary for determination of the appellant's claim for compensation stand conclusively established. The claim for compensation would necessarily require determination of the nature and extent of loss, the causal connection between the alleged negligence and such loss, and the liability, if any, of the person responsible therefor. Such questions are appropriately capable of adjudication in a properly constituted civil

proceeding upon the parties being afforded an opportunity to lead evidence.

12. We also find that the learned Single Judge had duly considered the explanation furnished by the concerned authority, including the fact that the file was entrusted to the then Section In-charge, namely, Prem Narayan Gupta, and that subsequently the appellant was required to submit Form No.33 along with the registration certificate. Upon submission of the requisite form on 04.01.2016, the application was verified and necessary orders were passed on 13.01.2016. In the aforesaid circumstances, the learned Single Judge, while noticing the inquiry report, rightly declined to adjudicate the claim for compensation in exercise of writ jurisdiction and granted liberty to the appellant to avail the remedy of a civil suit.

13. The contention of learned counsel for the appellant that there was no disputed question of fact, therefore, does not persuade us. The mere existence of an admitted delay or a finding of negligence in an administrative inquiry cannot, by itself, lead to a conclusion regarding the quantum of damages or civil liability. The learned Single Judge was justified in distinguishing between the administrative aspect of the matter and the appellant's claim for monetary compensation.

14. We find no infirmity or illegality in the order passed by the learned Single Judge warranting interference in the present intra-Court appeal. The learned Single Judge has rightly exercised restraint in granting monetary compensation in writ jurisdiction and has appropriately left the

appellant at liberty to pursue the remedy of a civil suit in accordance with law.

15. Consequently, the present writ appeal, being devoid of merit, is **dismissed**. The liberty granted by the learned Single Judge to the appellant to avail the remedy of a civil suit for claiming compensation shall remain intact. It is made clear that this Court has not expressed any opinion on the merits of the appellant's claim for compensation, and the same shall be considered by the competent forum in accordance with law.

**Sd/-
(Ravindra Kumar Agrawal)
Judge**

**Sd/-
(Ramesh Sinha)
Chief Justice**