

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12064 of 2017

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Ashok Kumar Ratna, Son of Sri Radha Krishna Yadav, Resident of Village and Post- Deshri, P.S.- Deshri, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Transport Department, Government of Bihar, Patna.
2. The State Transport Commissioner, Transport Department, Government of Bihar, Patna.
3. The District Transport Officer, Vaishali at Hajipur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Respondent/s : Mr. Anil Kumar Singh-GP-26

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-08-2017 Learned counsel for the petitioner submits that he will not place reliance over the document annexed at page nos. 11 and 11A and makes a prayer that the defect may be ignored.

In view of the statement made by learned counsel for the petitioner, let the defect(s) as pointed out by the office be ignored.

Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking relief that registration of the vehicle no. BR.-31B-1569 (Tata 407 Truck) be cancelled as he has filed an application before the District Transport Officer, Vaishali at Hajipur and on receipt of the same,



the District Transport Officer has directed the petitioner to produce the original registration book, permit, Tax Token, Insurance and fitness certificate.

Learned counsel for the petitioner submits that the vehicle, in question, is very old one and he has sold the vehicle to *Kabari*, so the question of having insurance, registration book, permit, tax token, insurance etc. does not arise.

In such view of the matter, this Court is of the view asking the petitioner to produce the permit, tax token, insurance, fitness certificate has no relevance and meaning when the vehicle, in question, has already been sold to *Kabari*. The District Transport Officer, Vaishali at Hajipur has only to get verified about the ownership of the vehicle, in question, and after giving due hearing to the petitioner decide the matter in accordance with law.

With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

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