

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 7497 of 2017 (O&M)

Date of decision: 03.08.2018

Parmender Singh Khasa

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. N.S. Panwar, Advocate for the petitioner(s).

Mr. Sanjay Kumar Saini, AAG, Haryana.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, the petitioner seeks issuance of a writ in the nature of certiorari for quashing the impugned order dated 20.01.2017 (Annexure P-11) whereby the request of the petitioner to transfer the ownership of vehicle bearing registration No.HNN2 was declined.

Heard.

The issue in question is whether the petitioner can retain the registration No.HNN2 of vehicle Scorpio SLX Turbo 2.6 E-III owned and possessed by his late father who was unfortunately murdered. The petitioner being a legal heir has inherited the estate of the deceased including the vehicle. Otherwise also, the State policy allowed the retention of the old numbers which is reflected in the direction order dated 12.08.2010 passed in CWP-6732-2010 (Annexure R-1).

Learned State counsel states that the retention is allowed only to the same owner and not to the legal heir or other family members of the deceased and only the registered owner could retain the old number.

As the petitioner is the legal heir of registered owner and being legal heir has stepped into his shoes, therefore, the assertion of learned State counsel appears to be ill-conceived. The Court has already decided the issue by way of Annexure R-1 whereby the similar petition was allowed.

In view of the above, the present petition is allowed. Accordingly, the impugned order dated 20.01.2017 (Annexure P-11) is hereby set aside and the respondents are directed to transfer the ownership of vehicle make Scorpio SLX Turbo 2.6 E-III bearing registration No.HNN2 in the name of the petitioner as per procedure, within a period of three months from the date of receipt of a certified copy of this order.

03.08.2018

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No