

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

**CWP-9673-2019 (O&M)
Date of Decision:11.04.2019**

Sunil Kumar

... Petitioner

Versus

Chandigarh U.T. Administration & another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Rohit Kaushik, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioner seeks a mandamus for directing the respondent/ Chandigarh Administration/Superintendent of Police (Crime), Police Head Quarter, Sector-9, Chandigarh to pay to him the total cost of the vehicle bearing registration No.HP-03-A-2789 as also to compensate him by an amount of Rs.5 lakhs for the harassment and inconvenience allegedly caused.

As per pleadings on record, petitioner is a bonafide purchaser of the vehicle in question having purchased the same from one Ramesh Kumar S/o Prem Chand for a sale consideration amount of Rs.4,40,000/-. It is averred that the police officials of Police Station Sector 31, Chandigarh took away the vehicle from the petitioner on account of registration of FIR No.0014, dated 15.01.2008 at Police Station Sector 31, Chandigarh under Sections 465/482/483/420/379/120-B IPC.

The case projected on behalf of the petitioner is that since the day the vehicle had been picked up by the police authorities the same has deteriorated and now is completely rusted. It is submitted that challan was

submitted on 03.11.2018 and in which the present petitioner has not even been implicated as an accused.

Having heard counsel for the petitioner at length, this Court is of the considered view that no intervention in the matter is called for.

Such view is being taken for the reason that there is no document placed on record to reflect the petitioner to be the registered owner of the vehicle. Counsel would make an attempt to advert to documents in the nature of a delivery letter issued by the seller as also certain documents issued by the bank i.e. HDFC Bank and from where a loan had been obtained by the petitioner for the alleged purchase of the vehicle. Such documents read collectively do not make the petitioner to be the registered owner of the vehicle.

During the course of arguments, counsel would even concede that an application for release of the vehicle on *superdari* had been made in the year 2011 and which had been declined by the competent Court. No remedy thereafter had been availed of.

Under such circumstances, prayer made in the instant petition cannot be accepted.

Petition is dismissed.

11.04.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |