IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-24152-2019 (O&M)
Date of Decision:03.09.2019

Najakat ... Petitioner

Versus

State of Haryana & others ... Respondents

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

Present:- Mr. Arjun Atri, Advocate for the petitioner.

....

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioner seeks a mandamus for directing the official respondents No.2 to 4 to release Eicher Canter bearing registration No.HR-73-1839 on *superdari*.

Briefly, it may be noticed that upon registration of FIR No.807, dated 30.11.2018, under Sections 3, 13(1), 13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 120-B IPC at Police Station Nuh, District Nuh Haryana, the custody of the vehicle is stated to be with respondents No.2 to 4.

On a specific query having been put to counsel, it has been conceded that the petitioner herein is not the registered owner of the vehicle in respect of which the prayer for release of vehicle on *superdari* has been made in the instant writ petition. Rather, counsel would submit that petitioner had purchased the vehicle by virtue of his Special Power Attorney dated 30.01.2018 from its registered owner, namely, Jahid.

Counsel has not been able to advert to any provision/precedent as per which a prayer for release of vehicle on *superdari* is maintainable at the hands of a person who is not the registered owner of such vehicle.

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In view of the above, prayer in the instant petition cannot be accepted.

Petition is dismissed.

03.09.2019 **(TEJINDER SINGH DHINDSA)**
harjeet **JUDGE**

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No

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