

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5165 of 2021

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Khagaria Auto Agency having its office at M.G. Road, Khagaria-851204, Bihar, through its authorised representative, Shri Vinay Kumar, aged about 50, S/o Bholu Prasad Yadav, R/o Vill and P.O.-Raghunathpur, Ward No. 12, P.S. Sahebpurkamal, District Begusarai-851217, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Transport Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Transport Department, Govt. of Bihar, Patna.
3. The State Transport Commissioner, Transport Department, Govt. of Bihar, Patna.
4. The District Transport Officer, Khagaria, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Y.V.Giri, Sr. Advocate
Mr.Nikhil Kumar Agrawal, Advocate
Mr. Vaibhav Niti, Advocate
Ms. Aditi Hansaria, Advocate

For the Respondent/s : Mr. Anil Kr. Singh, GP-26
Mr. Sarvesh Kumar, GP-24

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 07-10-2021

Petitioner has prayed for the following relief(s):-

“(i) To issued an appropriate writ/order/direction in the nature of Mandamus directing the Respondents to issue appropriate orders to the respective DTO’s to register the vehicles enumerated in the chart annexed as Annexure-12 upon verification of the authenticity of the



sale/purchase transaction in accordance with law.

(ii) To issue an appropriate writ/order/direction in the nature of Mandamus commanding the Respondents to give effect to the various orders passed by the Hon'ble Supreme Court whereby and whereby the Hon'ble Court has granted permission for registration of BS-IV vehicles purchased on or before 31.03.2020.

(iii) To issue an appropriate writ/order/direction in the nature of Mandamus commanding the respondents to accept registration of even those vehicles which were sold on or before 31.03.2020 but details of which could not be uploaded by the petitioner on the portal as the e-Vahan portal was inoperative/inactive on 29.03.2020, 30.03.2020 and 31.03.2020.”

Here, we are dealing with a case where the dealer has sold 10 vehicles to separate individuals, particulars whereof are mentioned in Annexure-12 page 129 of the writ petition.

After the matter was heard for some time, Sri Y.V.Giri, learned senior counsel, states that petitioner be allowed to approach the appropriate authority nominated for registration of the vehicle.

Shri Anil Kumar Singh, learned G.P.-26, states that if the petitioner places all materials showing the genuineness of transactions, the appropriate authority shall take a decision expeditiously in accordance with law and if the sales are held to be genuine, the vehicles would be registered.



Statement accepted and taken on record.

As such, we direct the petitioner to approach the authority i.e. District Transport Officer, Khagaria, as per particulars given by the learned counsel.

We expect the said authority to decide the application expeditiously preferably within a period of four weeks from the date of filing of the application along with a copy of this order, in accordance with law.

Liberty reserved to the petitioner to avail appropriate remedies, if need so arises.

Petition stands disposed of with the liberty aforesaid.

Interlocutory application, if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ranjan

AFR/NAFR	
CAV DATE	
Uploading Date	07.10.2021
Transmission Date	

