

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.651 of 2020

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Sonam Kumari W/o Dinesh Kumar Ray @ Dinesh Kumar Jagdeo Ray R/o
Village- Pipra Dewas, P.s.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

1. The Union of India through Chairman Moher Vehicle Department India,
New Delhi
2. The State of Bihar through the Principal Secretary, Finance Department,
Govt. of Bihar, Patna
3. The District Magistrate Begusarai
4. The Joint Secretary State Transport Authority, Regional Transport
Department, Nagaland, Kohima
5. The Mahindra and Mahindra Finance Service Ltd. through General
Manager, Mahindra Tower Gopal Tirath Plaza, Near Faizabad Road
Lucknow, Uttar Pradesh
6. The Poonian Associates Pvt. Ltd. through Manager, Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Adv
For the Respondent/s : Mr. Suresh Kumar AC to GP-1

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

Date : 06-09-2022

Heard learned counsel for the parties.

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

- (i) For issuance of an appropriated writ, direction commanding the respondent authorities to give the detail of the due loan amount of the husband of the petitioner as the respondent no.5 not providing the detail of calculation of loan amount due against her husband.
- (ii) For issuance of an appropriate writ, direction commanding the respondent authorities to take the same in equal installment within a year.
- (iii) For issuance of an appropriate writ, direction commanding the respondent authorities to give possession of the property of petitioner's husband as detail the movable property in respect of bearing Truck No.(Vehicle

No.)NL 01 AA 1182 which has purchased by the husband of the petitioner but authority has sold it.

- (iv) For issuance of an appropriate writ, direction commanding the respondent authorities to restrain to the respondent either realized the due loan amount of the vehicle or take possession of the vehicle or sold it against the dead person because husband of the petitioner has died.
- (v) To grant of other relief or reliefs for which the petitioner is entitled from the facts and circumstances of the case.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate proceedings.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA