

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.611 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 Motor Vehicle Department India,
New Delhi.
2. The State of Bihar through the Principal Secretary Finance Department,
Government 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.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jai Prakash Singh, Adv
For the Respondent/s	:	Mr. Rohitabh Das AC to AAG-13
For the R. No.5	:	Mr. Shivendra Roy, Adv

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 do not take possession of the property of the petitioner's husband as detail the movable property in respect of bearing Truck No.(Vehicle No.)-ML0203792 which has purchased by

the husband of the petitioner.

- (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.

Petition stands disposed of in the aforesaid terms.

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