

D/L. 27.
November 23, 2022.
MNS.

WPA No. 11147 of 2013

Suman Chatterjee
Vs.
The State of West Bengal and others

Mr. Rananeesh Guha Thakurta,
Ms. S. Sengupta,
Ms. Dipa Roy

... for the petitioner.

Mr. Pantu Deb Roy,
Mr. Subrata Guha Biswas

...for the State.

Learned counsel for the petitioner contends that the petitioner obtained his driving licence in the year 1998, when the petitioner was already 18 years old.

However, both the authorities below have held against the petitioner to the effect that the date of issue of the driving licence was June 12, 1992, when the petitioner had not attained the required age of 20 years, which is necessary for the purpose of driving heavy motor vehicles.

It transpires from the records and upon hearing learned counsel for the parties that although there is some doubt as to whether the photograph appearing in the driving licence is of a

person who is only 12 years old, despite the same, it is not unheard of that photographs in driving licences are affixed erroneously. That itself, in the present case, cannot be an alleviating circumstance for the petitioner, against whom both the authorities held that he had forged his date of birth at the time of obtaining driving licence. Even if the driving licence carries a photograph, which is annexed to the writ petition and is considered, the petitioner, who was actually born admittedly in the year 1980, would not have been of sufficient age to get driving licence of any sort at the time when it was issued in his name.

There is nothing on record to establish that the licence was actually issued in 1998, not 1992.

In such view of the matter, since both the forums have come to a concurrent finding as regards the petitioner having forged his date of birth at the time of issuance of his driving licence, there is no scope of any interference and/or to direct affidavits in the matter.

Accordingly, WPA No. 11147 of 2013 is dismissed without any order as to costs.

However, it is made clear that nothing shall preclude the petitioner from obtaining a fresh

driving licence now upon compliance of all due formalities in law for obtaining such licence.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)