

06.09.2022.
Court No.13
Item No. 21
ap

W.P.A. No. 18507 of 2022

**Arun Kumar Shaw
Versus
The State of West Bengal & Ors.**

Mr. N.I. Khan,
Mr. Amlan Kumar Mukherjee.
...For the petitioner.

Mr. Naba Kumar Das,
Mr. Sutanu Chakraborty.
...For the State.

Mr. Naren Ghosh Dastidar.
..For the respondent no.3.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner is aggrieved that the vehicle being
plied by him under the hire purchase agreement with
the private respondent has been seized by Purba
Jadavpur Traffic Guard and is presently lying at Garfa
Police Station.

Counsel for the petitioner submits that despite
production of documents, Garfa Police Station has not
released the vehicle in question.

Counsel for the State submits that his clients
are ready and willing to release the vehicle upon
production of documents and that a lady claiming to
be the sister of the original deceased recorded owner
has also claimed delivery of the said vehicle.

Since the petitioner and the private respondent/financier have the documents relating to the vehicle in question, the same may be released by the police against production of all relevant documents.

It is made absolutely clear that this Court has not decided the title of the vehicle and the handing over of the vehicle by the State to the petitioner/private respondent shall constitute discharge of the State's obligation in respect of the vehicle in question.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)