

04.11.2022
rc/ct.no.10
Item No.226

WPA No. 22262 of 2022

Mr. Sankar Paul
Mr. Tapas Samader
Mrs. Tapati Sarkar ...for the petitioner

Mr. Amal Kumar Sen
Mrs. Ashima Das (Sil) ...for the State

Mr. Anjan Chakraborty ...for the respondent no.4

Affidavit of service filed in Court today is taken on record.

The petitioner contends that he purchased a four wheeler light motor vehicle viz., Tata Tiago which was insured with the Acko General Insurance Limited, the 4th respondent herein. The vehicle met with an accident for which the petitioner claimed insurance from the 4th respondent but such insurance could not be disbursed due to requirement of certificate of cancellation of registration of the vehicle to be issued by the 3rd respondent. The 4th respondent issued a letter dated 03.12.2019 to the 3rd respondent for issuance of cancellation of registration certificate of the vehicle and similar letter was also sent to the authority by the erstwhile owner of the vehicle.

The petitioner prays for a direction upon the respondent authority to issue a certificate of cancellation of registration of the vehicle in question in order to enable

him to receive the insurance amount from the 4th respondent.

It is submitted on behalf of the 3rd respondent that the petitioner may be directed to submit a comprehensive application before the authority for issuance of cancellation certificate and the authority shall deal with it in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive application before the authority in this regard within 7 days from date.

The 3rd respondent is directed to consider and dispose of the said application within four weeks from the date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the 4th respondent, if necessary, in accordance with law.

With the above observations and directions this writ petition is disposed of.

There shall be, however, no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)

