

21.11.2022
rc/ct.no.10
Item No.166

WPA No. 22514 of 2022

Mr. S.P.Pahari
Mr. Tapan Kumar Mahapatra...for the petitioner

Mr. Salil Kumar Maity
Mrs. Jayatri Basu Roy ..for the respondent no.6

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas ...for the State

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

Heard learned counsels appearing on behalf of the parties.

The petitioner is aggrieved by the allegedly illegal transfer of the vehicle registered in his name in favour of the private respondents in contravention of Sections 50-51 of the Motor Vehicles Act, 1988. The petitioner seeks to submit a comprehensive representation in this regard before the concerned authority and prays for direction upon the authority to consider the same within a specified time frame.

It is submitted by the learned counsel appearing on behalf of the private respondent that he may be given an opportunity to place his contention as well as the relevant documents including the agreement for sale and power of attorney before the concerned authority at the time of hearing.

On consideration of the submission made by the learned counsels appearing on behalf of the parties the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation in this regard before the 3rd respondent within fortnight from date. The 3rd respondent is directed to consider and dispose of the representation within one month from the date of receipt thereof after affording reasonable opportunity of hearing to all interested parties including the petitioner and the private respondent, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

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)