

12.04.2023
rc/ct.no.10
Item No.128

WPA No. 2272 of 2023

Mr. Mohinoor Rahaman
Mrs. Maria Rahaman
Mr. Iqra Rahaman ...for the petitioner

Mr. Amal Kumar Sen
Mr. Jaladhi Das ...for the State

Supplementary affidavit used by the petitioner and report in the form of affidavit submitted on behalf of the respondents are taken on record.

It is alleged on behalf of the State-respondents that two pages of the DCR Book No. 44625 purportedly issued against the vehicle of the petitioner were sent for verification to the Block Land and Land Reforms Officer, Nalhati-II, Birbhum by the Additional Regional Transport Officer, Jangipur, Murshidabad vide a letter issued on February 03, 2023 and in his reply to the said letter, the Block Land and Land Reforms Officer, Nalhati-II, Birbhum informed the Additional Regional Transport Officer, Jangipur, Murshidabad by a letter issued on February 06, 2023 that the relevant pages of the DCR Book were not issued from his end.

However, the petitioner seeks to take necessary steps in this regard before the appropriate forum.

Further more, the petitioner seeks liberty to deposit the amount of Rs.54,758/- demanded by the Additional Regional Transport Officer, Jangipur, Murshidabad vide

Memo No. 10/A/MV dated January 20, 2023 addressed to the petitioner for violation of conditions of the Motor Vehicles Act, 1988 and West Bengal Motor Vehicles Tax Act, 1979 and West Bengal Additional Tax and One Time Tax of Motor Vehicles Act, 1989 without prejudice to his rights and contentions and prays for release of his vehicle upon such deposit being made.

Such prayer of the petitioner is considered and allowed.

The petitioner is at liberty to deposit the said amount before the respondent no. 3 without prejudice to the rights and contentions of the petitioner within 10 days from date. Upon the petitioner depositing the said amount along with other prescribed charges, if any, the concerned authority shall release the vehicle to the petitioner as per the seizure list prepared by the authorities within three days thereafter.

Since nothing further remains to be adjudicated in the present writ petition, the 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)

