

WPA 13023 of 2021

Md. Samsuddin Ali
Vs.
The State of W.B. & Ors.

Mr. S. N. Mukherjee
Ms. A. Nusrat
Mr. N. Gupta ...for the petitioner.

Mr. Anand Formania ...for the State.

Mr. Kaushik Chatterjee ...for the respondent No.4.

The respondents do not intend to use any affidavit-
in-opposition in this matter.

Heard learned counsels for the parties.

Impugned transfer of ownership of the vehicle
bearing No.WB-25J-5028 is under challenge in the present
writ petition.

It is submitted on behalf of the petitioner that the
truck owned by the petitioner was seized by the financier,
being the 4th respondent herein, who sold out the same to a
third party without serving notice of such transfer upon the
petitioner.

Per contra, it is submitted on behalf of the 4th
respondent that pre-sale notice was served upon the
petitioner.

The petitioner seeks to submit a comprehensive
representation ventilating his grievance, before the
Regional Transport Officer, Motor Vehicles Department,

North 24 Parganas, being the 3rd respondent herein, and prays for direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 3rd respondent be directed to consider the representation submitted by the petitioner, in accordance with law.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation ventilating the entire facts before the 3rd respondent within one week from date. The 3rd respondent is directed to consider and dispose of the representation within a period of one month from the date of receipt thereof after granting reasonable opportunity of hearing to all the interested parties including the petitioner and the 4th 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 being WPA 13023 of 2021 is disposed of.

However, there shall be 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)