IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5776 of 2024

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Pratik Kumar Singh Son of Sri Praween Kumar Singh, Resident of Marwari School Road, Darbhanga, P.S. - Town (Darbhanga), District- Darbhanga.

... ... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Transport, Government of Bihar, Patna.
2. District Transport Officer cum Taxing Officer, District - Darbhanga.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kr. Pandey, Advocate Mr.Randhir Kr. Singh, Advocate
For the Respondent/s	:	Mr.Nutan Sahay, AC to AAG-12

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

7 05-10-2024 The prayer raised by the writ petition is as below:

"That this is an application for issuance of an appropriate writ, rule or direction particularly in the nature of writ of mandamus commanding upon the Respondents, particularly Respondent no 2 to immediately grant receipt in Form "C" after acceptance of payment of the taxes of registered commercial vehicle like Bus and issue Tax Token in Form "D" or Form "E" in terms of provision under Rule 6(1) of the Bihar Motor Vehicle Taxation Rule, 1994 since the District Transport Officer, Darbhanga is not issuing any Tax Token in Form "D" or in Form "E" after acceptance of road tax and additional tax from the buses, which was paid thorough online mode."

2. The State has filed a counter affidavit specifically

bringing on record the amendment to the Bihar Motor Vehicles Taxation Act, 1994 in which Section 11 has been amended as follows:

> *"Provided that the computerized token issued under E-payment scheme launched by the State Government for the payment of road tax through banks as a result payment of tax by the vehicle owner through Debit card/Credit card/ internet banking etc. shall be treated as a valid 'Tax Token' under the Act. Signature of the Taxing Officer shall not required on such token. Similarly, the tax token issued through 'VAHAN' software shall not require signature of taxing officer."*

3. In the above circumstances, the prayer of the petitioner is not maintainable. The learned Counsel for the petitioner also agrees that there is no necessity for a token as prayed for in the writ petition.

4. The writ petition stands closed recording the above submissions of both the petitioner and the State.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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