

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13773 of 2023

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Renu Devi Wife of Shambhu Prasad Singh @ Shambhu Singh Resident of
Mohalla- Mahisouri, P.S. and District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Ministry of Transport,
Govt. of Bihar, Patna.
2. The Secretary, Ministry of Transport, Govt. of Bihar, Patna.
3. The Regional Transport Officer, Bhagalpur Range, Bhagalpur.
4. The Transport Commissioner, Munger Commissionery, Munger.
5. The District Magistrate, Jamui.
6. The District Transport Officer, Jamui.
7. The Motor Vehicle Inspector, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satya Prakash Parasar, Adv.
For the Respondent/s	:	Smt. Anuradha Singh, SC 21 with Ms. Shatabdi Sinha, AC to SC 21

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date : 20-06-2024

The petitioner is before this Court challenging the demand raised for tax against the vehicle bearing Registration No. BR46B-6981; which is stated to be gutted in a fire and renewal of permit to ply vehicles bearing Registration Nos. BR46A-6281, BR46A-8082 and BR46P-8081. It is the submission of the petitioner that there are no dues as against the



vehicles for which permit has now been sought for.

2. The petitioner's Counsel raised a contention that the vehicle gutted does not belong to her and is registered in the name of her son. The said contention is belied by Annexure P-1, the Certificate of Registration of BR46B 6981, which is in the name of Renu Devi, wife of Shambhu Prasad Singh, who is the petitioner herein. The petitioner contends that on 28.02.2015 while the aforesaid vehicle was crossing one village Dhanwa it came into contact with a high voltage electric wire resulting in the vehicle being gutted completely. Information is also said to have been given to the concerned police station, the photocopy of which is produced as Annexure-P/2.

3. The contention of the petitioner is countered in the counter affidavit filed by the Department. It has been categorically stated that the demand was raised despite Anneuxre-P/3 information dated 16.04.2015, since none of the required documents evidencing such mishap had been produced before the authority. Neither the First Information Report, final report of the police, report of the Fire Department, the certificate of the Electricity Department report or the MVI report had been produced. It is also submitted that the Registration Certificate as also the permit has not been surrendered. Considering the lack



of evidence, we are not inclined to interfere with the demand raised at Annexure-P/4 of Rs.1,27,920/-.

4. The next contention is with respect to the renewal of permit of three vehicles, the registration number of which are given hereinabove.

5. Both vehicles bearing Registration No. BR46A6281 and BR46A8082 belongs to one Rajeev Kumar Singh and BR46P 8081 belongs to one Ranjan Kumar Singh. Rajeev Kumar Singh is the son of the petitioner. However, the denial of permit to those vehicles cannot be agitated by the petitioner. The petitioner has claimed in the writ petition at paragraph no. 4 that the petitioner is in the business of transport and deals with the carriage vehicles and is the owner of the bus bearing Registration No. BR46B-6981. There is nothing produced to show any ownership or even authorisation for managing the three vehicles which are said to be denied permit on the basis of the demand raised as against the vehicle bearing Registration No. BR46B-6981.

6. We are of the opinion that the petitioner has no *locus standi* to challenge the denial of permit. We do not say anything further on the denial since it will be for the respective registered owners or the persons having possession of such



vehicle to challenge the same before the appropriate forum.

7. Insofar as demand raised herein, as against vehicle bearing Registration No. BR46B 6981, we reject the writ petition.

8. The writ petition is rejected with the above observations.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.06.2024
Transmission Date	

