

WPA 5336 of 2024

**Shailendranath Roy
Vs.
State of West Bengal & Ors.**

**Mr. Achyut Basu,
Ms. Punam Basu,
Ms. Pritha Biswas.**

... for the petitioner

**Mr. Pantu Deb Roy, ld. A.G.P.,
Mr. Pannalal Bandopadhyay.**

... for the State

1. In this case the petitioner has expressed his grievance as regards the alleged wrong entry appearing in the “Vahan Portal”, regarding the ownership of the vehicle No. WB26K3982, to belong to the respondent no. 5, instead of him, whereas he says that he is the registered and authorized owner of the said vehicle.
2. From the record, it appears that the petitioner was the registered owner with respect to the said vehicle, vide registration on January 5, 2010. The registration is valid upto January 4, 2025.
3. Record further reveals that, in reply to the query by the writ petitioner, the Registering Authority, North 24 Parganas, Barasat, has informed vide letter dated July 12, 2022, that the name of the owner of the said vehicle is ‘Tapas Banerjee’, that is, respondent no. 5.
4. According to Mr. Achyut Basu, learned counsel for the petitioner, the same appears to be a gross error on part of the respondent authorities, to record the

name of respondent no. 5 as the owner of the said vehicle, in so far as the writ petitioner is still the registered owner of the said vehicle and no steps for handing over the vehicle to any other person, has ever been taken in the meantime, by the writ petitioner.

5. It is further stated that the vehicle is still in possession of the petitioner.
6. Mr. Achyut Basu, learned counsel for the petitioner refers to the letter of the petitioner dated August 4, 2022 written to the Deputy Secretary and S.P.I.O., Transport Department, requesting rectification of the wrong recording of the name of the owner of the said vehicle, as above. The said application is yet to be considered by the respondent authorities.
7. The respondent no. 5, in whose name the vehicle has been shown to be recorded in “Vahan Portal”, though have been served with notices for more than once, is not present in Court today when the matter is called on.
8. Mr. Pantu Deb Roy, learned Additional Government Pleader is representing the State. The status report as regards the vehicle no. WB26K3982, filed in Court today, be taken on record. The same categorically reveals that **“No such documents regarding the transfer of vehicle is now available in this office neither in hard copy nor in Vahan Software.”**

- 9.** Mr. Deb Roy, submits that in “Vahan Portal”, the owner’s name is recorded to be the respondent no. 5 and not the petitioner.
- 10.** Considering the status report as above submitted in Court today and the submissions of the learned advocates for the parties and also the record, this Court is inclined to form a prima facie opinion regarding a possible error of recording of the name of the owner of the said vehicle, in the “Vahan Portal”.
- 11.** In that view of the matter, the Court finds it proper to direct the respondent no. 4, to consider petitioner’s application dated August 4, 2022 for rectification of the name of the owner of the concerned vehicle in the “Vahan Portal” and take appropriate steps for correction of same, upon considering the official records and affording an opportunity of hearing to the petitioner, in that regard.
- 12.** The said respondent shall also afford opportunity of hearing to the respondent no. 5, if available upon notice.
- 13.** Let the respondent no. 4 conclude the process as above and take a decision for rectification of name of the owner of the vehicle and take steps accordingly, in terms of petitioner’s prayer, within a period of four weeks from the date of communication of copy of this order.
- 14.** Since no affidavit is invited, the allegations contained in the petition are deemed to have been

denied by the respondents including the private respondents.

- 15.** This writ petition being WPA No. 5336 of 2024 is disposed of, along with the pending applications, if any.
- 16.** Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)