

WPA 16685 of 2024

Alok Kedia
Vs.
State of West Bengal & Ors.

Mr. Ganesh Shrivastava,
Mr. Sukanta Das.
... for the petitioner

1. Affidavit-of-service filed in Court today is taken on record.
2. No one is appearing for the State in spite of service of notice. Hence, the matter is taken up for hearing and disposal, in absence of the respondent/State.
3. The petitioner's grievance is with respect to the wrongful registration of some other vehicle, under the Regional Transport Officer, Alipore, with the registration number similar to that of his vehicle.
4. Petitioner's vehicle has been registered at Regional Transport Officer, Beltala and the registration No. is WB02AF9338.
5. It is stated that a vehicle of other model with Chassis No. MA3EUA61S00372641 and Engine No. F8DN5158605 of the respondent no. 3, has been registered with the same registration No. by the Regional Transport Officer, Alipore.
6. Mr. Ganesh Shrivastava, learned counsel appearing for the writ petitioner submits that the RTO Codes allowed to Alipore, Regional Transport Office are WB19, WB22, WB69 and WB70 whereas RTO Code allowed to Beltala, Regional Transport Officer, is

WB02, thus are substantially different, from one another.

7. He submits that no two vehicles can be registered with the same RTO Code, which are registered separately, at Beltala and Alipore. It is submitted that grant of same registration No. to the other vehicle, registered at different Regional Transport Office, which bears different Code No., is thus unsustainable, in the eyes of law.
8. Accordingly, the petitioner has prayed for in this writ petition, for cancellation/re-registration of the other vehicle as mentioned above of the respondent no. 4, as per the RTO Code allowed to the registration office of Alipore, from where the said vehicle has been registered.
9. Heard the submissions and perused the records. It appears that the vehicle bearing a Code No. WB02 can be registered from Beltala RTO Office, whereas the vehicle bearing Code Nos. WB19, WB22, WB69 and WB70 can be registered from the office of Regional Transport Officer, Alipore.
10. Two vehicles, that is, of the petitioner and the respondent no. 4, have been granted the same registration number but through different RTO offices, that is, Beltala and Alipore respectively.
11. It is apparent on the face of the record that the registration number granted by the RTO office at Alipore to the other vehicle having Chassis No. MA3EUA61S00372641 and Engine No. F8DN5158605, has been granted erroneously, which does not contain the RTO Code Regional Transport

Office, from where it has been registered, that is, Alipore.

- 12.** Under such circumstances, the petitioner's prayers in this case are allowed.
- 13.** The writ petition being WPA 16685 of 2024 is allowed and disposed of with the following directions:-
 - (i).** The writ petition is allowed.
 - (ii).** The concerned respondent no. 3 is directed to cancel/alter/modify the registration number allowed to the other vehicle being No. WB02AF9338, as registered in the RTO at Alipore.
 - (iii).** The vehicle registered from the Beltala Office, with the No. WB02AF9338, which is owned by the petitioner be registered against the petitioner.
 - (iv).** The respondent no. 2 is directed to accept all the motor vehicles tax with respect to the vehicle bearing No. WB02AF9338, from the writ petitioner, without any penalty for late payment.
- 14.** Since no affidavits are called for, allegations made in the writ petition, are deemed to have been denied by the respondents.
- 15.** This writ petition being WPA No. 16685 of 2024 is disposed of, along with the pending applications, if any.
- 16.** Urgent Photostat certified copy of this order duly downloaded from the official website of this Court upon compliance all legal formalities.

(Rai Chattopadhyay, J.)