



CWP-17442-1999(O&M)

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-17442-1999(O&M)
Date of decision:13.08.2024

Pyare Lal Chauhan

...Petitioner

Versus

Balraj Singh & ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. DR Bansal, Advocate,
for the petitioner.

Mr. Suneel Ranga, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present writ petition is for directing the respondents to transfer and register Jeep No.PUR-2450 purchased by the petitioner from the office of Divisional Engineer Tubewell & Stores, Punjab State Tubewell Corporation Ltd., Ludhiana and to pay a compensation/damages of Rs.1,00,000/- for the delay in registration of the said vehicle in favour of the petitioner.

Learned counsel for the petitioner has strenuously argued that the petitioner had purchased the above said jeep in an auction and he received its Registration Copy (R.C.) as well as No Objection Certificate (NOC) from the Registration Authority, District Ropar (Punjab) on 11.08.1999. He contends that all the relevant documents were submitted with the Registration Authority vide receipt No.7962/17, dated 12.08.1999 for registration. He further contends that the petitioner made numerous visits to the office of respondents for transfer and registration of the said

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vehicle in his name. However, it was informed that the papers of the said vehicle had been misplaced. He contends that on receipt of such information, the duplicate papers were again submitted by the petitioner in September/October, 1999 for transfer and registration of the said vehicle in his favour. However, the registration was not done upto December, 1999. He contends that as a result of the delayed registration of the vehicle in his name, the petitioner could not use the said vehicle, thereby suffering a loss of Rs.70,000/- to 80,000/- approximately since August 1999 to November, 1999.

Learned State counsel submits on behalf of the respondents that the documents were submitted by the petitioner for registration of the vehicle. However, the said papers were misplaced on account of the Hon'ble Parliamentary elections and as such Registration Certificate could not be issued in time. It is averred that there was no malice in misplacing the papers and on submission of duplicate copies, the Registration Certificate was duly issued to the petitioner. It is also averred that the averment about the petitioner having suffered loss on account of inability to ply the vehicle is misconceived since a validity slip on 30.09.1999 had been issued in favour of the petitioner and as such, he was competent and within his right to drive the said vehicle.

As the entire case of the petitioner is based upon the allegation that he could not use the vehicle during the above said period and compensation has been prayed for, however, the specific stand of the respondents has been that the Registration Certificate which enables a registered owner to ply the said vehicle has been issued and as such there is



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no occasion for suffering any loss. No replication to the above said official stand had been filed by the petitioner.

Under the given circumstances, I do not find that there is *prima facie* evidence which establishes the loss suffered by the petitioner. The question of compensation if any, would thus be question of fact which cannot be gone into by this Court. The present writ petition is, accordingly, disposed of with liberty to the petitioner to take recourse to appropriate remedy before the Civil Court, if so advised.

13.08.2024
monika

(VINOD S. BHARDWAJ)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No