



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-17147-2023
Date of Decision: 16.07.2024

BABY PATTNAYAK

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Hitesh Chopra, Advocate
for the petitioner.

Mr. Aditya Sharda, DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents for correction/verification of the Car Registration No.PB-08-BP-5219 (wrongly mentioned as PB-08-PB-5219) since the same number has been allotted to two different vehicles.

2. Learned counsel for the petitioner contends that Baby Patnayak son of Bhramarbara Nayak is posted in Indian Army in the rank of Major at Assam. The respondents have issued the Registration Certificate bearing No.PB-08-BP-5219 to two vehicles i.e. (i) belonging to the petitioner make Maruti Suzuki, Model Swift Dzire Bharat IV variant VXI, of grey colour and

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(ii) one Bajaj Discover standing in the name of one Tarlochan Kumar. The petitioner claims that various representations were submitted by the petitioner for carrying out the appropriate correction and to issue the correct RC in favour of one vehicle, however, the needful has not been done so far. Hence, the present petition.

3. Counsel for the State submits that the respondents have sent a notice to the petitioner bearing No.1287/RTO/JAL dated 04.07.2024 seeking supply of the original RC of the vehicle and that in the event of the original RC being supplied, the necessary correction shall be carried out and fresh RC for the vehicle shall be issued within a period of two weeks from today. He submits that there has been complete forgery of records and bogus registration certificates having been issued from the said Regional Transport Officer and that submission of the original RC is necessary for ascertaining as to whether the Registration Certificate in favour of the petitioner had been actually issued by the said Office or not.

4. Learned counsel for the petitioner contends that the original RC of the vehicle has been misplaced and a police report in this regard is duly registered. He further submits that various other documents in relation to the deposit of fee, taxes paid and insurance Certificate are in possession of the petitioner in original and that the said documents can be looked into as secondary supporting documents to ascertain as to whether any registration was actually issued by the respondent-authority or not. In case the taxes and necessary statutory charges for registration of the vehicle has been duly

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deposited with the respondents, there is no occasion as to why the regular registration Certificate of the vehicle may not be issued. Additionally, if for certain reasons, the employees of the Registering Authority have conducted a fraud and have embezzled the taxes by issuing fake receipts, the petitioner cannot be held liable for the same. He, however, convey his no objection to submit the necessary supporting documents and an affidavit alongwith the Police report alongwith the missing of the original Registration Certificate.

5. Taking into account the peculiar circumstances of the present case and without commenting on the merits of the same, the present petition is disposed of with the consent of the parties, with a direction to the petitioner to supply a copy of the police report alongwith an affidavit in support of the loss of RC with an undertaking to the effect that in the event of the original RC being traced, the same shall be sent to the office of the RTO, Jalandhar. He shall also furnish the original of all other supporting documents such as the trace of the chassis number, engine number, receipt of taxes paid, registration fee etc. if any and the insurance certificate.

6. Upon furnishing of the said documents, the respondents shall inquire into the same and if the documents, supplied by the petitioner, other than the original RC, are found to be correct, in that eventuality, a new RC shall be issued in favour of the petitioner forthwith and without any further delay and preferably within a period of two weeks thereafter.

7. Needless to mention that the petitioner shall however be liable to pay any such other statutory charges as are applicable in law.



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Petition stands disposed of accordingly.

JULY 16, 2024
Rajender/Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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