

13.11.2025

Item No. 03

Crt.No.10

b.r.

WPA 8869of 2024

Nurbanu Bibi

-vs-

Regional Transport Officer, Alipore & Ors.

Mr. Md. Shamim Uddin (VC)

Mr. Sk. Samiul Haque

Mr. Rannak Shaw

.... For the petitioner.

Mr. Pantu Deb Roy, Ld. AGp

Mr. Pannalal Bandyopadhyay

.... For the State.

Petitioner is represented through virtual mode.

The State-respondents are represented physically.

Supplementary affidavit filed on behalf of the petitioner is taken on record.

The petitioner submits that the purchase of the vehicle in question was purchased by taking a loan to the tune of Rs.36,1322/- from a Financial Authority, namely, Tata Motors Finance Limited-respondent no.3. The petitioner submits that on 8.3.2023 the representative of the respondent no.3 seized the subject vehicle from the petitioner on the ground of certain defalcation of loan amount and accordingly issued a seizure list to the petitioner.

Petitioner files this writ petition for the following reliefs, which is quoted below:-

*“a) A writ of and/or in the nature of
Mandamus commanding the
respondent authorities to take*

appropriate requirement of law and and/to declare the transfer of ownership as bad-in-law;

b) A writ of and/or in the nature of Mandamus commanding the respondents' authorities to act in accordance with law and to consider the same and to which manner the name has been mutated in the name of Private Respondent No. without following the proper procedure of law;

c) A writ of or in the nature of Prohibition restraining the private respondent from creating any third-party interest of the subject vehicle being no. 4 till the disposal of the same.

d) A writ of and/or in the nature of Certiorari commanding the respondents and each one of them, their men, agents, assigns and/or subordinates to certify and transmit to this Hon'ble Court the records of the case so that conscionable justice may be administered;"

The respondents submits that instant petition is misconceived and frivolous and the respondent no.2 is not the answering respondents since the issue involved is with the regard to the loan agreement which was entered into by and between the petitioner and the respondent no.3.

Having heard the rival contention of the parties, this Court is of the view that the instant writ petition is not maintainable and is misconceived and frivolous; the same should be dismissed. The petitioner prays for withdrawal of the writ petition.

Liberty is granted to the petitioner to file afresh before the appropriate forum.

Accordingly, this writ petition, WPA 8869 of 2024 stands dismissed as withdrawn.

(Smita Das De, J.)