

Item No.- 26
12.03.2025
Rohan
Court No. 2

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

WPA 558 of 2025

**Shiv Shankar Malakar
Versus
The State of West Bengal & Ors.**

Mr. Hillol Saha Podder.

... for the petitioner

**Mr. Anirban Banerjee,
Mr. Rima Sarkar.**

... for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was the owner of an e-rickshaw/toto vehicle. As the same was in a dilapidated condition, he had it scrapped. Thereafter, he purchased another e-rickshaw/toto and went to the registration authority to assign the same registration number as the earlier e-rickshaw to the new one. As the same was not done, he sent a representation before the concerned authority. But, the same has not been responded to as yet.
3. Learned counsel appearing on behalf of the State denies the allegations and submits that as per the Motor Vehicles Act and Rules, a particular registration is given to a vehicle. It cannot be assigned to another vehicle with a different chassis number and engine number just like that.
4. In view of the above, the writ petition is disposed of by granting liberty to the petitioner to pray for

registration of the e-rickshaw/toto as per law applicable before the registering authority.

5. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Jay Sengupta, J)