

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18785 of 2025

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Arimardan Kumar son of Shree Suman Kumar, Residence of Mohalla- Bans
ke Toli, P.O/ P.S.-Khusroopur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Registration, Prohibition and Excise Patna.
2. The Additional Chief Secretary, Department of Registration, Prohibition and Excise, Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Transport, Government of Bihar, Patna.
4. The Director General of Police, Bihar, Patna.
5. The Collector, Gopalganj.
6. The Superintendent of Police, Gopalganj.
7. The Superintendent, Prohibition and Excise, Gopalganj.
8. The District Transport officer, Gopalganj.
9. The Station House Officer, Kataiya, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suraj Narain Yadav, Adv.
For the Respondent/s	:	Mr. Madhaw Pd. Yadav. Government Pleader (23)
	:	Mr. Meera Singh, AC to GP23

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

5 25-06-2026 Heard the learned counsel for the parties.

The present writ petition has been filed for the
following relief(s):-

“1. That this is an application for issuance of a writ in the nature of mandamus and/or any other appropriate writ, order or direction commanding upon the Respondent No.- 4 and 8 to transfer the ownership of the Vehicle, Pickup Van, in question in the Name of Petitioner which was auction purchased by the petitioner on 27/11/2023 or in alternative be pleased direct the Respondents to take back the Vehicle Pickup Van which was auction sold to the Petitioner and refund the auction amount Rs- 3,60,000 to the Petitioner which he had paid at the time of auction purchase to the Respondent No.- 7 along with interest at the Rate of 18% Per month



because of the loss caused to the Petitioner due to deliberate fault of the Respondents No.- 7 and 9, and further to direct the respondent no. 4,5 and 6 to hold enquiry in the matter so far placing of wrong number plate on the vehicle having different engine number and chassis number.”

3. In the counter-affidavit filed by the respondent Nos. 5, 7 & 8, at Para Nos. 8, 9 10, 11, 12 & 13, it is specifically stated as under;

“8. That the averment made by the petitioner in this para is not denied. The said vehicle was seized in Kateya P.S. Case No. 125/2023. The particulars mentioned in the FIR were as per seizure memo at that time. The mismatch of Engine/Chassis numbers came to light only during subsequent verification for registration.

9. That the averment made by the petitioner is not denied.

10. That the averment made by the petitioner is partly denied. The matter was not kept pending deliberately. Upon receipt of the application, the respondent no 8 directed for physical verification by the Motor Vehicle Inspector, Gopalganj. The Petitioner was informed about the difficulty due to mismatch of Engine/Chassis numbers.

11. The averment made by the petitioner is not denied. The VAHAN Portal search (Form-24) shows that the actual Chassis No. -MA1ZN2GHKE1A11224 and Engine No. GHD1M12126 correspond to Reg. No. -BR05GA-1464 and not to Reg No -BR28GA-4633. The said vehicle having Reg No BR05GA-1464 is locked in Baruraj P.S. Case No. 51/2023 vide FIR dt-04.03.2023. Hence registration in the name of the Petitioner is legally impossible.

12. The averment made by the petitioner is denied. When the Petitioner submitted representation dt 16.07.2025, the matter was promptly processed and reported to the District Magistrate, Gopalganj.

13. The statement made by the petitioner about meeting with respondent no - 7 is not denied. However, it is pertinent to mention here that the Respondent No. - 7 diligently made correspondence with the respondent no 8 and relying on report of the respondent no 8 submitted vide Letter no 307 dt 17.03.2026, the respondent no 7 proceeded for the refund



of auctioned amount Rs 3,60,000/-. Accordingly, the Respondent No. 5 passed an order vide memo no 993 Dt-19.03.2026 and grant the liberty to the petitioner to seek remedy of refunding the auction amount upon submission of application to that effect before Respondent No. 7. The petitioner is also directed by the respondent no. - 5 to surrender the auctioned vehicle in question to P.S. Kateya.”

4. Having regard to the same, the respondent No. 5 (i.e., the District Collector, Gopalganj) is directed to see that the auction amount (i.e., 3,60,000/-) paid by the petitioner is refunded to the petitioner at the earliest preferably within a period of four weeks from the date of receipt of a copy of this order. In case the amount is not paid within a stipulated time, the petitioner would be entitled to simple interest at the rate of 7% per annum from the date of actual payment by the petitioner till the amount is refunded to the petitioner.

5. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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