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(2001) 06 JH CK 0003

In the Jharkhand High Court

Case No : CWJC No. 1945 of 2001

Suresh Singh-II APPELLANT

Vs

State of Jharkhand and Others RESPONDENT

Date of Decision : 08-06-2001

Acts Referred:

Citation : (2001) 06 JH CK 0003

Hon'ble Judges : Vinod Kumar Gupta, C.J;Gurusharan Sharma, J

Bench : Division Bench

Advocate : Rajiv Ranjan, for the Appellant; B.S. Lall, AAG, for the Respondent

Judgement

1. The only issue involved in this petition is the right and entitlement of the petitioner to claim and get exemption from payment of road tax for the period 15th March, 2000 to 15th September, 2000 on the ground, inter alia, that the papers of the vehicle in question were surrendered to the District Transport Officer and because of the surrender of these papers, the petitioner admittedly did not ply the vehicle during this period.

We have seen the order dated 9.2.2001 passed by the respondent No. 2 as also the order dated 4.4.2001 passed by the respondent No. 4 and find that both these respondents have not categorically dealt with the aforesaid question.

After hearing the learned counsel for the parties, we dispose of this petition and by setting aside the order dated 4.4.2001 passed by the respondent No. 4, direct him to reconsider the issue in the light of the observations made hereinabove and to decide and find out as to whether, as a matter of fact, the petitioner did surrender the papers of the vehicle for the aforesaid period to the respondent No. 3 and if so, what was the effect of such surrender of papers with respect to the petitioner''s claim for exemption from payment of road tax during this period. The respondent No. 4 shall decide the aforesaid question and pass appropriate consequential orders on reconsideration after hearing the parties.

The petition is disposed of. No order as to costs.

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2. Petition disposed of.

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