

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO.23318 OF 2015

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ORDER:

Heard the learned counsel for the petitioner and the learned Government pleader for Transport appearing for the respondents.

2. The Writ Petition is filed seeking a declaration that the action of the respondents in seizing the vehicle chassis bearing No. ARGO-2011-03-626 under vehicle check report No.054183, dated 15.09.2014, is arbitrary and illegal.

3. The check report, dated 15.09.2014 shows that the vehicle was seized on various allegations. Since the enquiry is required to be conducted by the competent authority following due process of law, it is not necessary for this Court to express any opinion as to the correctness of the said allegations. However, pending such enquiry, I deem it appropriate to direct the respondents to release the vehicle in question subject to the condition that the petitioner deposits Rs.1,00,000/- (rupees one lakh only). The petitioner shall also furnish an undertaking that he will not alienate and incorporate any third party interest over the vehicle in question till final orders are passed. It is also made clear that the amount deposited in pursuance of this order shall be subject to the outcome of the enquiry.

4. Accordingly, the Writ Petition is disposed of leaving it open to the respondents to proceed with the enquiry in accordance with law. There shall be no order as to costs. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence.

A.V. SESA SAI, J.

28th July, 2015
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