

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF APRIL
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.9046 of 2015

BETWEEN

S. Srinivasa Rao.

... PETITIONER

AND

The A.P. State Road Transport Corporation, Rep. by its Managing Director, Musheerabad,
Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioner: MR. E. MARUTHI RAJA

Counsel for the Respondents: MR. A. RAMA RAO

The Court made the following:

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ORDER:

It is not in dispute that the similar order of rejection to give clearance to the petitioner's vehicle, which is impugned herein, was challenged in WP.No.3204 of 2014 and batch and the said writ petitions were disposed of by this Court on 03.03.2014. The operative portion of the said order is as follows:

"5. As far as the Indemnity Bonds are concerned, it is supported by clause 5(iv) of the Agreement and petitioners cannot deny the same. But, as regards the undertaking for payment of taxes are concerned, the agreement is silent on that aspect and it is for the enforcement authorities of statutory departments to recover the same as per law. As far as payment of Rs.5,100/- is concerned, no rule is brought to my notice that the respondent-authorities can collect the same from the petitioners for grant of No-Objection Certificate.

6. In view of the above circumstances, the respondent-Corporation cannot insist the petitioners to give an undertaking regarding payment of taxes as well as payment of Rs.5,100/- in the impugned notices and the respondent-Corporation is directed to grant No-objection certificate on furnishing Indemnity Bond as per clause 5(iv) of the Agreements entered

into by the petitioners with the respondent-Corporation."

The writ petition is disposed of in terms of the aforesaid order. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

April 2, 2015

DSK