

THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

WRIT PETITION No.36973 of 2015

ORDER:

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The grievance of the petitioner is that petitioner's lorry bearing registration No.MH-29T-1248 was seized by 3rd respondent on 12-01-2015 when it was being driven by his employees on the allegation that some forest produce was being transported in it and the Forest Section Officer, Dampur booked an offence vide POR No.25/15 dt.13-01-2015.

2. The petitioner had submitted a representation on 26-05-2015 before the 3rd respondent for release of the said vehicle, but the 3rd respondent has not passed any orders thereon.
3. Learned Government Pleader states that the matter is under investigation and that the vehicle was seized since there was a *prima facie* case of transport of forest produce illegally in the vehicle belonging to petitioner.
4. Since the vehicle in question has been in the custody of 3rd respondent since January, 2015 and is likely to get spoilt and become unfit for use, the Writ Petition is disposed of directing the 3rd respondent to release the vehicle of petitioner in question on the petitioner furnishing a bank guarantee to 3rd respondent for the value of the said vehicle as assessed by the Motor Vehicle Inspector, Asifabad, Adilabad District and subject to petitioner giving an undertaking that he will produce the said vehicle as and when required by the respondents in the enquiry being conducted by them, within two (02) weeks from today. No costs.

5. As a sequel, miscellaneous petitions pending if any, in these Revisions shall stand disposed of.

JUSTICE M.S. RAMACHANDRA RAO

Date: 13-11-2015

Note: Issue C.C. in one week.

B/o.

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