

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

W.P.No.27510 OF 2015

PC: *(Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)*

Heard learned counsel for the parties.

The petitioner in the instant writ petition seeks the following prayer:

.....to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the first respondent in directing the second respondent to keep the Motor Grader (Chassis No. VCEG930C00040109) under safe custody till the petitioner produce the relevant documents and obtain the release order vide Memo No. 22975/B3/2014 dt. 31.07.2015 as illegal, arbitrary and without jurisdiction and consequentially direct the respondents to release Motor Grader (Chassis No. VCEG930C00040109) to the petitioner so as to take the same to the destination i.e. Nellore and pass.....”

Learned counsel for the respondents states that if the petitioner pays tax and penalty, if any, whatever is due or it is liable to pay, they shall release the vehicle, on such payment being made by it.

Learned counsel for the petitioner submits that the petitioner shall pay the tax and penalty, if any, as demanded by respondent No.1 or it is liable to pay within a period of two weeks from the date of demand. Respondent No.1 shall communicate the amount of tax and penalty, if any, to the petitioner within a period of two weeks from the date of receipt of this order. It is open to the petitioner to produce a copy of this order before respondent No.1 within a period of one week from today. It is needless to mention that on deposit of the tax and the penalty, if any, respondent No.1 shall release the vehicle of the petitioner forthwith. Further, it is needless to mention that if the petitioner is obliged to comply with any other formalities for operating the vehicle in the State of Andhra Pradesh, it shall comply with the same before operating the vehicle.

With these observations, the writ petition is disposed of.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

ACJ

DILIP B. BHOSALE,

S.V.BHATT,

J
Date: 01.09.2015
Stp/Lrkm