

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION Nos.7325 & 7370 OF 2015

Date:20.03.2015

Between:

Continental Trans Organization Private
Limited, rep., by its Proprietor Anil Garg .. Petitioner

And

The Sate of Telangana, rep., by the Principal
Secretary, Transport Department,
Secretariat, Hyderabad and others .. Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION Nos.7325 AND 7370 OF 2015

COMMON ORDER:

These two Writ Petitions are filed by the owners of the vehicles which are seized by respondents 2 and 3 and lying with them, on the ground that the vehicles belong to other States and tax and penalty is payable in the State of Telangana. The said vehicles are stated to be engaged in the work of construction of Metro Rail in Hyderabad.

Similar order dated 14.10.2014, is passed in W.P.No.30510 of 2014. The said judgment is applicable to these matters also.

These Writ Petitions are accordingly disposed of with the following directions.

- i) The petitioners are directed to approach the 2nd respondent by making appropriate applications seeking release of their vehicles, subject to payment of tax till the end of the relevant quarter, as per the tax determined in the respective cases, except penalty component, as well as producing the fitness and insurance certificates and also the proof of payment of tax in Maharastra and Haryana States.
- ii) The petitioners shall give appropriate undertakings to the effect that they would produce the vehicles as and when required by the 2nd respondent and would not

alienate or shift them outside Telangana State till completion of enquiry.

- iii) Thereafter, the 2nd respondent shall release the vehicles and also take up appropriate enquiry after giving opportunity to the petitioners to substantiate their defence as against the allegations appearing in the Vehicle Check Report and determine the correctness or otherwise of the Check Report and pass appropriate final orders thereon. The release of the vehicles, as ordered, therein, shall be subject to the final orders to be passed by the 2nd respondent.

There shall be no order as to costs.

Miscellaneous petitions, if any, pending in these Writ Petitions shall stand closed.

VILAS V. AFZULPURKAR, J

20.03.2015

Note:- Furnish C.C. by 24.03.2015.

(B/o)
KH