

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE P. NAVEEN RAO

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Writ Petition No.7268 of 2006

Date:18.3.2016

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Between:
K. Giridhar,
Hyderabad.

.....Petitioner

And

The Regional Transport Authority,
Hyderabad.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE P. NAVEEN RAO

Writ Petition No.7268 of 2006

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

Smt. M. Vinoba Devi, learned counsel for the petitioner submits that since the petitioner has already deposited the tax and compounding fees, as per the order dated 13.4.2006 passed by this Court, petitioner may be permitted to file appeal challenging the penalty imposed by the Regional Transport Officer.

Mr. Venkata Raghu Ramulu, learned Government Pleader for the respondent submits that he has no objection for allowing the petitioner to file appeal, as aforementioned, subject to their right to oppose the appeal on merits and also on the ground of limitation.

We dispose of this writ petition as not pressed. It is open to the petitioner to file appeal against the imposition of penalty by the impugned notice dated 3.4.2006, and if any such appeal is filed, we hope and trust that the appellate authority shall deal with the same on merits, in accordance with law. It is open to the respondent to oppose the appeal on merits and also on the ground of limitation. If no appeal is filed within four weeks from today, it will be open to the respondent to recover the penalty as per the impugned notice.

Consequently, pending miscellaneous applications shall also stand closed. No costs.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

18th March, 2016

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