

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.8256 of 2006

Date:18.3.2016

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Between:

St. Mary's College of Engineering
And Technology,
Hyderabad.

.....Petitioner

And

The Deputy Transport Commissioner and Secretary,
Regional Transport Authority,
Hyderabad and others.

... Respondents

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

Writ Petition No.8256 of 2006

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

Heard learned counsel for the parties.

This writ petition challenges the seizure of petitioner's vehicle bearing No. AP 09 7243 vide Vehicle Check Report No. 0734530, dated 19.4.2006.

This Court, while admitting the writ petition, directed the petitioner to deposit an amount of Rs.20,000/- with the 1st respondent, with further direction to release the vehicle on such deposit being made. We are informed that the petitioner deposited the said amount and their vehicle was released.

In view thereof, Mr. Ch. Ravinder, learned counsel for the petitioner submits that the petitioner may be given liberty to file an appeal under Section 12 of the Andhra Pradesh Motor Vehicles Taxation Act, 1963 (for short 'the Act'), with a direction to decide the appeal within time frame.

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

Hence, we dispose of the writ petition by the following order:

"The writ petition is disposed of as not pressed. It is open to the petitioner to file an appeal under Section 12 of the Act, challenging the order of seizure of the vehicle within a period of four weeks from today.

If the appeal is filed, as aforementioned, the appellate authority shall decide the appeal on merits, in accordance with law. It is made clear that if the appeal is not filed within the stipulated time, it will be open to the respondents to take further action, if any, in accordance with law.”

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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