

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.44624 of 2016

ORDER:

Heard learned counsel for petitioner and the Assistant Government Pleader for respondent No.2

2. Petitioner complains against seizure of vehicle bearing No.TS 06 ED 8799 and TS 06 UA 8077 as illegal, arbitrary and unconstitutional.

3. Counsel for petitioner relies upon the orders passed by this Court directing release of seized vehicle in accordance with the applicable Government orders.

4. The Assistant Government Pleader submits that the vehicle is being produced before the concerned Magistrate and application is required to be made for release of the vehicle.

5. Learned counsel for petitioner submits that even if the vehicle is deposited before the competent Court, still the authorities are empowered to consider the request of petitioner for release of seized vehicle.

Having regard to above submissions, the writ petition is disposed of as follows:

Policy decision is taken in G.O.Ms.No.3 dated 08.01.2015 and G.O.Ms.No.15 dated 19.02.2015 for release of vehicle, subject to a few conditions. Therefore, the petitioner is given liberty to bring the policy to the notice of the Court when his application is considered for release

of vehicle. If a request for release is made to respondents, the respondents are given liberty to release the seized vehicle after examining their competence and jurisdiction to release the vehicle, if it is already deposited with the competent Court. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

December 28, 2016
DSK

