

HON' BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.44544 of 2016

ORDER:

The petitioner claims to be the owner of TVS XL bearing No.AP 20 UB 5199 with Engine No.ODIKID1102084, Chassis No.MD 621BD14D2K79556, which was seized in COR No.591/2016 on 07.09.2016 by the Prohibition and Excise Officer, Mahbubabad.

The vehicle was seized on the allegation of transportation of jaggery meant for manufacture of illicit liquor. It appears that the Officer seized one bag containing 40 Kgs. of jaggery and one plastic cover containing 5 Kgs. of alum. The petitioner states that he is no way concerned with the alleged offence and he has no knowledge with regard to the involvement of the vehicle. However, those facts cannot be decided in the present writ petition since an enquiry is pending before the Deputy Commissioner of Excise, Mahbubabad, who had to pass appropriate orders after conducting an enquiry.

However, in the meanwhile, the vehicle seized shall be released on the petitioner furnishing a F.D.R. worth Rs.10,000/- (Rupees Ten thousand only) to the satisfaction of

the Deputy Commissioner of Excise, Mahbubabad. As and when the said F.D.R. is furnished, the vehicle shall be released and the petitioner shall not alienate the vehicle and produce the same as and when demanded by the Deputy Commissioner of Excise, Mahbubabad. The release of the vehicle will be subject to further orders after enquiry.

With the above directions and observations, the Writ Petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand dismissed in consequence.

Date: 22.12.2016

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A. RAMALINGESWARA RAO, J

