

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

-
HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

-
WRIT PETITION No. 104 OF 2016

Date: 27.01.2016

Between:

Syed Qutbuddin

... Petitioner

And

The State of Telangana, rep., by its Principal Secretary,
Transport, Roads & Buildings (TR.I) Department,
Hyderabad & others.

... Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE S.V. BHATT**

WRIT PETITION No. 104 OF 2016

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

After hearing learned counsel for the parties, we are of the view that the matter needs to be considered by the respondent – Regional Transport Authority (RTA) afresh. The RTA has not denied the fact that the vehicle was seized because of default committed by its original owner, who had purchased the vehicle on finance from respondent No.4 - financier, which sold the vehicle in an auction to the petitioner. It is also observed by the RTA that no document was produced to claim exemption.

Accordingly, we direct the RTA to reconsider the matter. In the event the petitioner produces necessary documents in support of his claim before the concerned RTA, then it shall issue a notice to respondent No.4 - financier and thereafter shall come to a conclusion whether it is a clear case of seizure in terms of Memo dt.28.8.2003 issued by respondent No.1 and whether it was purchased by the petitioner in the auction held by the financier. If those are found, then benefit in terms of the aforesaid Memo has to be extended. Let the entire exercise be completed within a period of four weeks from the date of communication of this order.

With the above directions, the writ petition is disposed of.

Miscellaneous petitions, if any, shall also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Date: 27.01.2016
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