

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.24740 of 2017

ORDER:

Heard Mr B.Sivaramakrishnaiah, counsel for petitioner and Assistant Government Pleader for Home.

On 02.08.2017, the present writ petition was disposed of by this Court. The respondents herein filed W.A.No.1290 of 2017 and the Hon'ble Division Bench vide order dated 07.09.2017 set aside the order dated 02.08.2017 in W.P.No.24740 of 2017 and restored the writ petition to file.

The petitioner complains against the inaction of respondents in releasing the Bus bearing No.AR02-5462 in terms of orders in CrI.M.P.No.1775 of 2017 in Crime No.177 of 2017 dated 24.04.2017 of the III Additional Chief Metropolitan Magistrate, Vijayawada, as illegal and unconstitutional.

This Court is not proposing to examine the rival submission inasmuch as one of the reasons put forward by respondents in not releasing the subject vehicle in terms of the order dated 24.04.2017 is the Criminal Revision Petition No.33 of 2017 is pending before the learned Metropolitan Sessions Judge, Vijayawada.

This Court, after perusing the material and the difficulties expressed by petitioner and objections raised by respondents, to meet the ends of justice and to take a decision as is warranted subject to the outcome of CrI.R.P.No.33 of 2017, disposes of the writ petition with the consent of the learned counsel by this order:

- (a) The parties are given liberty to file Memo along with copy of this order before the learned Metropolitan Sessions Judge, Vijayawada to dispose of CrI.R.P.No.33 of 2017 within one (01) week from today.
- (b) The learned Judge considers hearing and disposing of CrI.R.P.No.33 of 2017.

This Court has no reason to doubt that the learned Judge in view of the urgency expressed by writ petitioner and the apprehensions voiced by respondents would comply with the order of this Court. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 09.11.2017

Note:
CC forthwith
(B/o) dv

