

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.11594 of 2010

ORDER:

The relief sought for in this Writ Petition is to declare the action of the respondents in seizing the petitioner's motor-cycle under the Crime and Occurrence Report dated 03.03.2010, and to declare the further action of the 1st respondent in not releasing the said motor-cycle, as arbitrary and illegal.

Pursuant to the interim order passed by this Court, the subject vehicle was released in favour of the petitioner on his furnishing a bank guarantee for half the amount, in respect of the value to be fixed by the Motor Vehicle Inspector, within a period of four weeks.

Learned Government Pleader for Prohibition and Excise, on instructions, would submit that, subsequently, the Deputy Commissioner of Prohibition and Excise, Khammam issued confiscation orders on 19.07.2016 against the seized property of 15 litres of I.D. liquor, along with one Bajaj Discover Motor Cycle bearing No.AP 20T/R-6199 involved in the said offence under Section 13 of the A.P. Prohibition Act, 1995; the same was served on the petitioner on 20.09.2016; and re-seizure orders were passed under Section 13-F of the A.P. Prohibition Act, 1995.

As confiscation orders were passed, during the pendency of these Writ proceedings, it is evident that the cause in the Writ Petition does not survive necessitating any further adjudication by this Court.

Leaving it open to the petitioner, if he so chooses, to question the order of confiscation of the subject vehicle, the Writ Petition fails and is, accordingly, dismissed. The Miscellaneous Petitions pending, if any, shall also stand dismissed. No order as to costs.

RAMESH RANGANATHAN, ACJ.

Date:24.11.2017.
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