

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40839 OF 2017

O R D E R :

This petition is filed for the following relief:

“ ... to issue a writ, order or direction more particularly one in the nature of writ of *Mandamus* declaring the action of the 3rd respondent in seizing the Goods carriage vehicle Mini Truck DOST-2350 MM bearing No.TS 08AA TR 4124 as illegal, arbitrary and violation of Article 19 and 21 of Constitution of India and against the provisions of Indian Penal Code and consequently set aside the same in so far as petitioner is concerned and to pass such other order or orders as this Hon'ble Court may deems fit ...”

Heard learned counsel for the petitioner, who submits that the '*lis*' in the writ petition is squarely covered by the order dated 05.09.2017 passed by this Court in WP.No.29927 of 2017 and the same is not disputed by the learned Counsel for respondents.

Recording the said submission of the learned counsel and the reasons alike in that writ petition, this writ petition is disposed of directing the respondent No.3 to release the seized Goods carriage vehicle Mini Truck DOST-2350 MM bearing No.TS 08AA TR 4124, on the petitioner furnishing bank guarantee for its value to his satisfaction. The petitioner shall given an undertaking that he will not alienate the

vehicle during the pendency of 6-A proceedings and produce the same as and when demanded by respondent No.3. Respondent No.3 shall pass an order for release of the vehicle in question with the said conditions, within one week after furnishing the bank guarantee by the petitioner. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

04.12.2017
t k.

A.RAJASHEKER REDDY, J

