

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.3257 of 2018

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“.....to issue a writ or order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the 3rd Respondent in not releasing the petitioner's vehicle bearing No. MH 43 H 9417 seized under COR.No.373/ 2017 dated 27.12.2017 by the 4th Respondent as illegal, arbitrary, contrary to law and consequently direct the 3rd respondent to release the vehicle of the petitioner forthwith and pass such”

2. Heard learned counsel for the petitioner and learned Government Pleader for Excise appearing for the respondents and perused the prayer in the writ petition with supporting affidavit and other material on record.

3. In view of the enabling statutory provision to approach the Deputy Commissioner concerned, there is nothing to entertain the writ petition and keep it pending with any interim direction, but for, to dispose of the same.

3. Having regard to the above, this Writ Petition is disposed of directing the Deputy Commissioner-3rd respondent herein, to dispose of the pending application of the petitioner, within a period of three weeks from the date of receipt of copy of this order.

5. Miscellaneous petitions pending, if any, shall stand closed. No costs.

Dr. B. SIVA SANKARA RAO, J

Date: 02.02.2018

Note:

Issue C.C. tomorrow.

B/ o.

pab