

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN**

**AND**

**THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**

WRIT PETITION NO.3990 OF 2018

**ORDER:** {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

While the impugned order dated 11.01.2018, imposing penalty of Rs.2,01,960/-, records receipt of the petitioner's reply on 14.12.2017, and their earlier reply dated 24.11.2017, it is only the petitioner's reply dated 24.11.2017 which has been considered and not the petitioner's latter reply dated 05.12.2017, a copy of which was personally handed over to the Deputy Assistant Commissioner on 14.12.2017. In its reply dated 05.12.2017, the petitioner has specifically asserted that they had informed the third respondent regarding non-supply of login-id and password which was due to domain problems with their department, and the petitioner was therefore unable to raise e-way bills; this fact was intimated to the department on 01.09.2017, and yet the required login-id and password was not provided to enable the petitioner to raise e-way bills for transit of material.

This specific contention urged by the petitioner, in their reply dated 05.12.2017, has not been considered by the fourth respondent while passing the impugned order. On this short ground, the impugned order is liable to be set aside. The fourth respondent shall pass an order afresh, taking into consideration the petitioner's objections as referred to hereinabove, with utmost expedition and, in any event, not later than four (4) weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

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**(RAMESH RANGANATHAN, ACJ)**

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**(KONGARA VIJAYA LAKSHMI, J)**

28<sup>th</sup> February 2018  
RRB

