

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.10148 of 2018

ORDER :

Heard the counsel for petitioner, and the learned Government Pleader for Excise, for respondents.

2. It is stated by counsel on both sides that the issue raised in this Writ Petition is covered by the order dt.17.10.2016 passed in WP.No.34246 of 2016.

3. Therefore, for reasons alike, this Writ Petition is also disposed of in the following manner :

(a) if the petitioner approaches the 2nd respondent-Deputy Commissioner of Prohibition and Excise, Warangal, with an application, enclosing thereto a Fixed Deposit Receipt (F.D.R.) drawn in favour of the Deputy Commissioner on any nationalized Bank payable at Warangal, for a sum of Rs.30,000/- (thirty thousand only), the motor vehicle bearing registration No.TS-02-UB-3690 may be entrusted for interim custody of the petitioner, provided he produces necessary material in the form of the Registration Certificate (R.C.) of the vehicle and also his identity proof;

(b) if the petitioner furnishes an undertaking that he will keep the vehicle insured at all times and that he will keep it in good running condition by maintaining it regularly;

(c) if the petitioner will not create any third-party interests or charge thereon; and

(d) if the petitioner will not alienate the same.

4. So far as the contraband is concerned, the same can be examined for entrustment or otherwise only upon finalization of the confiscation proceedings. It shall also be open to the Deputy Commissioner of Prohibition and Excise to secure valuation of the motor vehicle by referring it to the Motor Vehicle Inspector.

5. Accordingly, the Writ Petition is disposed of with the above directions. No order as to costs.

6. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.



JUSTICE M.S.RAMACHANDRA RAO

Date: 28.03.2018

Ndr/*