

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.33523 OF 1997

ORDER:

This writ petition is filed seeking to direct the respondents to release the lorry bearing registration No.AP21T 1010 forthwith in favour of the petitioner by declaring the order passed by the first respondent in Rc.No.B1/1207/97, dated 11.8.1997 directing the petitioner to furnish the bank guarantee for full value of the vehicle with two sureties, as confirmed by the second respondent in Cr.No.3454/97/DPE/B2, dated 4.11.1997, as arbitrary, illegal and discriminatory.

2. It is the case of the petitioner that he is the owner of the lorry bearing No.AP21T 1010 and plying the vehicle by following the law of the land, more particularly under the provisions of the Excise and Prohibition Laws. While the matter stood thus, the vehicle was booked in Cr.No.26/97 of Peapully Police Station on the allegation that the vehicle is carrying contraband liquor and transporting the same without a valid licence/permit. The petitioner has obtained interim custody of the vehicle by order dated 11.8.1997 of the first respondent. The second respondent has upheld the observation of the first respondent without any valid reasons and evidence and also without perusal of the records; he came to the conclusion that the petitioner is involved in the offence and he confirmed the order of the first respondent.

3. Heard.

4. In view of the facts and circumstances of the case and since the petitioner has obtained interim custody of the vehicle,

nothing survives for adjudication in this writ petition and accordingly the writ petition is liable to be closed.

5. Accordingly, the writ petition is closed. No order as to costs. As a sequel, the miscellaneous petitions pending if any shall stand closed.

T.AMARNATH GOUD,J

Date: 13-07-2018
Shr

