

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.38441 OF 2018

ORDER:

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

“..... to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the proceedings of the respondents in seizing the vehicle Ashok Leyland Van bearing Registration No.AP 04 UB-0025 belongs to the petitioner under cover of FIR No.6 of Nandyal-280 dated 21.6.2018 on the file of the 3rd respondent is illegal and arbitrary.

At the hearing, learned Counsel for the petitioner would submit that in view of the similarity of the facts, this Writ Petition may be disposed of in terms of the interim order, dated 07.11.2017, in W.P.M.P.No.46275 of 2017 in W.P.No.37246 of 2017. A copy of the interim order in the said Miscellaneous Petition and the copies of the bills are filed along with the material papers.

Learned Government Pleader appearing for the respondents endorses the said submission.

Accordingly, there shall be a direction to the second respondent to release the petitioner's vehicle viz., Ashok Leyland Van bearing No. AP 04 UB-0025, subject to condition of the petitioner depositing Rs.1,00,000/- (Rupees one lakh only) in favour of the second respondent by way of a Fixed Deposit from any Nationalized Bank. It is made clear that the FDR afore-stated shall be subject to the final orders in the proceedings initiated in FIR. No.6(2018)-Nandyal-280 dated 21.6.2018 on the file of the 3rd respondent.

The Writ Petition is disposed of accordingly. Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. No order as to costs.

C. PRAVEEN KUMAR,J

Date:30.10.2018.
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