

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.38565 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of respondent No.2 in seizing 600 Kgs. of jaggery along with Maruthi Suzuki Eeco Vehicle bearing No.TS 322872, of the petitioner, in pursuance to the panchanama and registration of case in COR No.288/2018, dated 08.10.2018, as illegal and arbitrary.

2. The learned Government Pleader for Prohibition and Excise, on instructions, states that the vehicle is now deposited with the Deputy Commissioner of Excise and that the petitioner has to make an application before the concerned authority seeking release of the vehicle and the stock.

3. Having regard to the above, the present writ petition is disposed of directing the petitioner to make an application before the Deputy Commissioner of Excise, seeking release of the above said vehicle, enclosing thereto a fixed deposit for the value of Rs.1,00,000/- (Rupees one lakh only) drawn in favour of the Deputy Commissioner of Excise on any nationalized⁷ bank, and on such an application being made, the interim custody of vehicle shall be handed over to the petitioner. It is needless to mention that the petitioner shall not alienate, encumber or alter the physical features of the vehicle, till the proceedings are completed. Insofar as the seized jaggery is concerned, since the quantity seized is about 600 kgs, the owner of the said stock shall make an application before the Deputy Commissioner of Excise seeking release, in which event the authority shall release the same after accepting a fixed deposit for Rs.6,500/- from the

petitioner, drawn in favour of Deputy Commissioner of Excise on any Nationalized Bank.

4. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:31.10.2018.
vhb

C. PRAVEEN KUMAR, J



HON'BLE SRI JUSTICE C. PRAVEEN KUMAR



WRIT PETITION No.37336 OF 2018

Date:23.10.2018

Gk

