

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43079 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 3rd respondent in seizing the vehicle Swift VDI BS IV Car No. TS 21 C 2229 of the petitioner in F.I.R.No.229 of 2018 and not releasing the same even though the petitioner filed a petition on 22.11.2018 before the 2nd respondent authority, as illegal and arbitrary.

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

Having regard to the above, the present writ petition is disposed of directing the petitioner to make an application before the 2nd respondent-Deputy Commissioner of Excise, seeking release of the above said vehicle, enclosing thereto a fixed deposit receipt or bank guarantee for the value of the vehicle as assessed by the concerned Motor Vehicle Inspector and on such an application being made, the interim custody of the 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 vehicles, till the proceedings are completed. No order as to costs.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed.

C. PRAVEEN KUMAR,J

Date:30.11.2018.
Gk

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