

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43047 2018

ORDER:

Heard counsel for petitioner, the Government Pleaders for Prohibition and Excise and Home, appearing for the respondents.

It is stated by counsel on both sides that the issue raised in this Writ Petition is covered by order dt.30.10.2017 in W.P.No.34465 of 2017. Therefore, for reasons alike, this Writ Petition is also disposed of with the following directions:

“petitioner is at liberty to approach, either, the learned Magistrate before whom the vehicle was said to have been produced and file application as per the procedure established by law and seek release of the vehicle by bringing to the notice of the Court the policy decision taken by the Government and the terms of the G.O.Ms.No.15, dated 19.02.2015, if the petitioner so desires; or in the alternative he may make a request to the 3rd respondent by filing appropriate application for release of the vehicle; and, if any such application is filed before the 3rd respondent, the 3rd respondent is at liberty to pass appropriate orders as per terms of G.O.Ms.No.15, dated 19.02.2015, after examining the competence and jurisdiction to release the vehicle, which was said to have been produced before the Court concerned. It is needless to state that the application, if any, filed by the petitioner before either the Court or the 3rd respondent shall be disposed of on the same day in the interest of justice. No order as to costs”.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

C. PRAVEEN KUMAR,J

Date:30.112018.
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