

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 47266 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in not releasing the vehicle bearing No.AP 10 AJ 3786, which was involved in Crime No.363 of 2018, dated 30.10.2018, as illegal and arbitrary.

2) The Government Pleader for Prohibition and Excise, on instructions, states that the vehicle is not in the custody of the second respondent and the Deputy Commissioner of Prohibition and Excise, Hyderabad, who is not a party to the proceedings, is the competent authority for release of the vehicle and that the petitioner has to make an application before the concerned authority seeking release of the vehicle.

3) Having regard to the above, the present writ petition is disposed of directing the second respondent to deposit the said vehicle before the Deputy Commissioner of Prohibition and Excise, Hyderabad, within two weeks from today, if not already deposited, in which event the petitioner shall make an application seeking release of the above vehicle, enclosing

thereto a fixed deposit for the value of the vehicle as assessed by the concerned, and on such amount being deposited, 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.

4) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

28.12.2018
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JUSTICE C. PRAVEEN KUMAR