NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4260 of 2019

Pramod Kumar Sahu S/o Late Shri Krishna Kumar Sahu Aged About 42 Years R/o House No. 199/6, Vallabh Nagar, Raipur, District Raipur Chhattisgarh **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Transport Authority, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh,
2. Taxation Officer And Regional Transport Officer Raipur Chhattisgarh
3. Pulak Bhattacharya Presently Additional Commissioner, Municipal Corporation, Raipur Chhattisgarh

---Respondents

For Petitioner	:	Mr. Anshul R. Shrivastava, Advocate.
For State	:	Mr. Ayaz Naved, G.A.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

26/11/2019

1. The challenge in the present writ petition is to the action on the part of the respondents blacklisting the petitioner, vide order dated 27.07.2019.

2. Perusal of records would show that the petitioner stands blacklisted for not paying taxes that he was supposed to pay as assessed by the authorities vide order dated 01.06.2015 against which the notice of recovery was also issued on 19.01.2016.

3. Counsel for the Petitioner submits that the petitioner has not been given show-cause notice before being blacklisted. Therefore, the action of the respondents is in violation of the principle of natural justice. He further submits that against the orders dated 01.06.2015 and the recovery notice dated 19.01.2016, he has already preferred an appeal before the Transport Commissioner at Raipur which is pending consideration.

4. On a query being put to the counsel for the Petitioner, he admits that the appeal preferred to the Transport Commissioner has been done only in the year 2019. Since the petitioner has been blacklisted only on account of the petitioner not depositing tax assessed by the authorities vide orders dated 01.06.2015 and 19.01.2016, this Court is of the opinion that, ends of justice would meet if the writ petition is disposed of with a direction to the petitioner as of now to deposit the amount of recovery that stands against the petitioner to the tune of Rs. 4,82,000/- as is reflected from the order Annexure P-5 dated 19.01.2016 within a period of 15 days from the date of receipt of copy of this order before the authorities concerned and submit receipt of deposition of the same. The authorities would thereafter permit the petitioner to pay tax of the vehicle belonging to the petitioner for the current period removing the name of the petitioner from the blacklist. The amount which would be deposited by the Petitioner pursuant to the notice of recovery dated 19.01.2016, the same shall however be subject to the outcome of the Appeal that the petitioner is said to have preferred before the Transport Commissioner and which is said to be pending.

5. With the aforesaid direction, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Jyotijha