

**THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.2955 of 2019**

**ORDER:**

It is a case where the petitioner seeks release of his vehicle viz., Auto rickshaw bearing No.TS-26T-0219 alleged to have been seized in connection with an offence punishable under Section 34-A of the Telangana Excise Act, for carrying liquor without there being valid permission. It is the case of the petitioner that the 4<sup>th</sup> respondent is the one who seized the vehicle and registered a case against the petitioner in FIR No.169 of 2018 on 04.12.2018, and though the petitioner made an application on 14.01.2019 to the 2<sup>nd</sup> respondent, and an application on 21.01.2019 to the 3<sup>rd</sup> respondent seeking release of his vehicle, no orders are passed on his application yet.

Learned Government Pleader, on instructions, submits that the vehicle as well as the case file has been made over to the 3<sup>rd</sup> respondent on 30.12.2018.

In those circumstances, respondent No.3-Deputy Commissioner, Prohibition & Excise Office, Warangal, shall consider and pass appropriate orders on the application dated 21.01.2019 made by the petitioner for release of the subject vehicle by imposing suitable conditions, keeping in view the law laid down by the Hon' ble Supreme Court that no useful purpose would be served by keeping the vehicle in the custody of the 4<sup>th</sup> respondent.

Subject to the above, the writ petition is disposed of. No costs. Miscellaneous petitions, if any pending, shall stand closed.

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**JUSTICE CHALLA KODANDA RAM**

14<sup>th</sup> February, 2019  
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