

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 21354 OF 2019

O R D E R:

This Writ Petition is filed declaring the action of the 3rd respondent – Forest Divisional Officer in directing the petitioner, *vide* order dated 18.04.2019, to furnish bank guarantee of value of the vehicle bearing Registration No. TS 28D 1286 at Rs.4,75,000/-, as assessed by the 5th respondent - District Transport Officer, as illegal and arbitrary.

Petitioner submits that earlier, she filed Writ Petition No. 46414 of 2018 to consider her representation dated 26.09.2018 seeking release of the above said vehicle i.e. tractor seized on 03.06.2018 in connection with a forest offence. She further submits that the said Writ Petition was disposed of on 24.01.2019 directing release of the vehicle on her furnishing bank guarantee for the value of the seized vehicle as may be assessed by the Motor Vehicle Inspector of the District. Now the complaint of the petitioner is that the assessment made by the 5th respondent is on higher side.

Heard learned counsel for the petitioner as well as learned Government Pleaders for Forest and Transport.

At the outset, it is to be noted that the Writ Petition is not maintainable for, the 3rd respondent, pursuant to the direction issued by this Court in Writ Petition No. 46414 of 2018, issued the impugned order directing the petitioner to furnish the bank guarantee of Rs.4,75,000/- towards value of the vehicle as assessed by the 5th respondent. If the petitioner is aggrieved of the said order, he can move a Petition seeking review of the order dated 24.01.2019 in the aforesaid Writ Petition, but not by approaching this Court again by way of another Writ Petition.

Hence, leaving liberty to the petitioner to move review petition in Writ Petition No. 46414 of 2018, if she is so advised, this Writ Petition is closed. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

26th September 2019

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