

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

W.P.No.27593 OF 2019

JUDGMENT:

This writ petition is filed seeking to declare the action of the 2nd respondent, Deputy Commissioner of Prohibition and Excise, in not passing orders directing the 3rd respondent, Station House Officer, to release the Maruthi Swift Dsire Car bearing Reg.No.TS-03-EC-2559 seized in C.O.R.No.475/2019 in spite of readiness to furnish the third party surety, as illegal and arbitrary and consequently to direct the 2nd respondent to order for release of the said vehicle to the petitioner.

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents and perused the material placed on record.

It is stated by the learned counsel on either side that the issue raised in this writ petition is covered by the order dated 03.01.2019 passed in W.P.No.72 of 2019, a copy of the same is filed along with the writ petition.

Therefore, for the reasons alike, this writ petition is disposed of with the following directions:

“The 2nd respondent is directed to release the vehicle i.e. Maruthi Swift Dsire Car bearing Reg.No.TS-03-EC-2559 to the petitioner for interim custody subject to the final orders to

be passed in the criminal proceedings and on petitioner furnishing a fixed deposit of Rs.50,000/- (Rupees fifty thousand only) from any Nationalised Bank in favour of the 2nd respondent and also on production of original R.C. Book and on petitioner further giving an undertaking that he will not transfer or alienate the vehicle to third party in any manner and will maintain the vehicle in the same good roadworthy condition without changing its major parts and features and would produce the same as and when directed before any Court or competent authority”.

Accordingly, this writ petition is disposed of.
There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

T.AMARNATH GOUD, J

Date: 11.12.2019
LSK