

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.1958 of 2020

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for the respondents.

2. The prayer sought in the writ petition is as under:

‘For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the seizure of the 25.00 quintals in 60 bags along with Mahindra Bolero bearing No.TS 06 UC 0293 of the petitioner basing on the panchanama conducted on 17.10.2019 by the respondents, as illegal, arbitrary and improper and without power or authority under law and pass such other order or orders as are deemed fit and proper.”

3. At the time of hearing, it is stated by the counsel on both sides that the issue raised in this writ petition is covered by the order dated 13.12.2017 passed by this Court in W.P.No.42308 of 2017.

4. Therefore, for the reasons alike as were stated in the aforesaid order, this Writ Petition is disposed of with a direction to the second respondent to release the vehicle, Mahindra Bolero bearing Registration No.TS 06 UC 0293 to the petitioner for interim custody subject to the final orders to be passed in the criminal proceedings and on the petitioner furnishing an immovable property security for Rs.1,00,000/- (Rupees one lakh only) in favour of the second respondent and also on production of original R.C.Book and on his 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.

Pending miscellaneous petitions, if any, shall stand closed.

No order as to costs.

JUSTICE P.KESHAVA RAO

Date: 31.01.2020

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