

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1559 of 2013

Md. Jahir

....

Petitioner

Mr. Prasanna Panda-3, Adv.

-versus-

D.F.O., Balasore and Anr.

....

Opp. Parties

*Mr. T. Pattnaik, ASC
(for O.P. No.1).*

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

06.01.2022

Order No.

04.

1. This matter is taken up through hybrid mode.
2. None appears for the petitioner.
3. Heard Mr. T. Pattnaik, learned Additional Standing Counsel for the opposite party no.1.
4. The Petitioner has filed this writ petition seeking direction to the opposite party no.1- Divisional Forest Officer, Balasore Wildlife Division, Balasore to issue intimation to the opposite party no.2- Sales Tax Officer, Balasore for clearance of sales tax in connection with tender sale of seized and confiscated vehicle (Mini Truck) bearing Registration No.OR-11-2122, Divisional Lot No.28 of 2011, as per tender notice 01/2012 and further seeking direction to the opposite party no.1 to release the vehicle in his favour on production of the Sales Tax Clearance Certificate.

5. Mr. T. Pattnaik, learned Additional Standing Counsel for the opposite party no.1 contended that in spite of several opportunities given to the petitioner, he had not produced the Sales Tax Clearance Certificate as per the terms and conditions of tender sale notice thereby, the petitioner had violated the terms and conditions of the tender sale notice and, accordingly, ground rent was charged @ 1% of total sale value of the vehicle with effect from 05.06.2012 to 13.09.2012 for 100 days amounting to Rs.82,000/- as per clause-9 of the tender sale notice. He further contended that the petitioner had neither deposited the ground rent nor taken any step to produce the Sales Tax Clearance Certificate for removal of the vehicle from the site.

6. Having considered the contentions raised by the learned Additional Standing Counsel for the opposite party no.1, this Court is not inclined to entertain this writ petition.

7. Accordingly, this writ petition stands dismissed.

(Dr. B.R. Sarangi)
Judge

(S.K. Panigrahi)
Judge

BJ