IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.6142 of 2022

Hitesh Kumar Send .... ***Petitioner***

-versus-

R.T.O., Kendrapara and another .... ***Opposite Parties***

CORAM : JUSTICE S.PUJAHARI

ORDER
14.03.2022

Order No.

01. 1. This matter is taken up through hybrid mode.

2. Heard the leaned counsel for the parties.

3. The grievance of the Petitioner is that he has been imposed penalty without giving him any show cause notice and the Opposite Parties did not accept the M.V. Tax in respect of the vehicle bearing Registration No.OD-29-E-7565.

4. Considering the limited grievance of the Petitioner, so also in view of the settled position of law that penalty cannot be imposed without giving any show cause notice, decided in the case of ***Sujit Kumar Dhir and others -vrs.- Regional Transport Office, Keonjhar and others, reported in 2014 (II) OLR 1070***, this Court directs the Opposite Parties to accept the M.V. Tax from the Petitioner. But, so far as the imposition of penalty is concerned, the Opposite Parties shall ask the

Petitioner for a show cause and after filing such show cause, the same shall be disposed of in the manner known to law with regard to the liability of penalty to be imposed on the Petitioner.

5. With the aforesaid order, this writ petition stands disposed of.

6. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge

DA

HIGH COURT
ORISSA