

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10402 OF 2021

Binodlal Gupta

Petitioner

Mr. Arun Kumar Mishra, Advocate

-versus-

***The Authorized Officer-cum-A.C.F.,
Rourkela and another***

.... Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

14.07.2022

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition seeks for a direction to release his vehicle bearing Registration No.OD-14L-0673 (Xenon Yodha Pick Up).
 3. It is submitted by Mr. Mishra, learned counsel for the Petitioner that the vehicle was initially seized by the police. Hence, he filed an application under Section 457 Cr.P.C., which was registered as Misc. Case No.169 of 2020 (arising out of 2(b) CC No.4/2020). Learned J.M.F.C., Rural, Rourkela holding that the prosecution report has been submitted under the Odisha Forest Act, 1972 (for short 'the Act'), rejected the application vide order dated 2nd December, 2020. Upon initiation of the confiscation proceeding in O.R. Case No.198 of 2020-21 by the Authorized Officer-cum- A.C.F., Rourkela, the Petitioner filed an application for release of the vehicle on 10th February, 2021 under Annexure-4. It is his submission that the Authorized

Officer is not taking any step for release of the said vehicle for which the Petitioner is constrained to file this writ petition for the aforesaid relief.

4. Taking into consideration the provision under Section 56(3) of the Act and that Section 57 of the Act has been deleted from the statute, this Court is not inclined to entertain this writ petition.

5. Accordingly, this writ petition is dismissed.

(K.R. Mohapatra)
Judge

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