

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.11456 of 2022

Trinath Mohanty

....

Petitioner

-versus-

***The Transport Commissioner-cum-
Chairman & another***

....

Opposite Parties

**CORAM:
THE JUSTICE S.PUJAHARI**

**ORDER
06.05.2022**

**Order
No.**

01.

1. This matter is taken up through Hybrid mode.

2. Heard.

3. The grievance of the Petitioner in this case is that though he has made an application dated 21.04.2022, vide Annexure-2 series, for cancellation of registration certificate of the vehicle bearing registration number OR-14-Q-0335 to the Opposite Party No.2- Regional Transport Officer, Dhenkanal, but no decision on the same has been taken in spite of the instruction of the Transport Commissioner, Odisha in his letter No.11010/TC dated 11th December, 2020 to all Regional Transport Officers, vide Annexure-1 series. Hence, he has filed this writ petition seeking a direction to the Opposite Party No.2-Regional Transport Officer, Dhenkanal to act on his such

application for cancellation of such certificate, notwithstanding the pendency of any tax and penalty inasmuch as the instruction as above is very clear.

4. Mr Pravakar Behera, learned Standing Counsel appearing for the Transport Department, submits that pendency of tax and penalty is no bar for cancellation of registration certificate of the vehicle.

5. Considering the same, this writ petition is disposed of with a direction to the Opposite Party No.2-Regional Transport Officer, Dhenkanal to take a decision on the application of the Petitioner, vide Annexure-2 series, for cancellation of registration certificate of the vehicle bearing registration number OR-14-Q-0335 in the light of the instruction of the Transport Commissioner, Odisha, vide Annexure-1 series, within three weeks hence.

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

PKS

(S. Pujahari)
Judge