

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 13061 of 2022

Jyotirmayi Baidya

.....

Petitioner

Mr. Ashis Mishra, Advocate

-versus-

***Regional Transport Officer and Tax
Recovery Officer, Keonjhar and others***

....

Opp. Parties

Mr. Pravakar Behera,
Standing Counsel Transport Department

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

27.06.2022

Order No.

2. 1. This matter is taken up through Hybrid mode.
2. Petitioner in this writ petition seeks to assail the demand notice dated 17th January, 2022 (Annexure-1) and certificate issued in pursuance thereof.
3. In course of hearing, Mr. Mishra, learned counsel for the Petitioner submits that since the proceeding is still pending before the Tax Recovery Officer he may be permitted to file a petition denying liability under Rule-3(3) of Schedule-II of the Odisha Motor Vehicles Taxation Act, 1975 and prays for a direction to consider the same in accordance with law.
4. Mr. Behera, learned Standing Counsel for Transport Department submits that in the meantime the time stipulated for filing of petition denying liability has lapsed.
5. Taking into consideration the submissions made by learned counsel for the parties, this Court, without expressing

any opinion on the merit of the case of the Petitioner, disposes of the writ petition with a direction that in the event the Petitioner files a petition denying her liability to the demand notice under Annexure-1, the same shall be considered in accordance with law without insisting upon the delay in filing the same provided that the proceeding is still pending.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge



s.s.satapathy