

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.16035 OF 2022

Suresh Sahoo

Petitioner

Mr. Anugraha Narayan Samantaray,
Advocate

-versus-

R.T.O., Rourkela

.... Opp. Parties

Mr. Pravakar Behera,
Standing Counsel
(For Transport Department)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

21.07.2022

Order No.

3. 1. This matter is taken up through hybrid mode.
2. The Petitioner who is the owner of vehicle bearing Registration No.OR-14-Y-2713 challenges the notice to show cause dated 17.01.2022 vide penalty proceeding case in TRC No.4228 of 2022, notice of demand of M.V. tax and penalty amount of Rs.72,000/- dated 17.01.2022 and the Certificate of Recovery dated 17.01.2022 for the period from 1st October, 2019 to 31st December, 2019 in respect of the aforesaid vehicle.
3. Mr. Samantaray, learned counsel submits that the Petitioner is ready and willing to pay the Certificate amount, i.e., Rs.72,000/- as mentioned in Annexure -2 within a period of three weeks hence.
4. In view of the fact that the Petitioner is ready and willing to pay the outstanding tax amount of Rs.72,000/- (Rupees seventy-two thousand only), this Court disposes of the writ petition with a direction that in the event the Petitioner

deposits the aforesaid amount of Rs.72,000/-(Rupees seventy-two thousand only) within a period of three weeks hence, no coercive measure pursuant to the certificate issued shall be taken against him. On payment of the outstanding dues, the authority shall consider issuance of permit and fitness certificate in respect of the aforesaid vehicle in accordance with law.

5. The notice under Section 13(2) of OMVT Act, 1975 shall be replied by the Petitioner within a period of three weeks and in that event, the authority shall consider the case of the Petitioner sympathetically and decide the same in accordance with law within a period of six weeks thereafter.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge

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