

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 16734 OF 2022

Sukanta Kumar Panigrahi

....

Petitioner

Mr. Asit Kumar Jena, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

15.09.2022

Order No.

I.A. No. 10472 of 2022

- 6.
1. This matter is taken up through hybrid mode.
 2. This is an application for correction/modification of the order dated 15th July, 2022 by which the writ petition was disposed of.
 3. Mr. Jena, learned counsel for the Petitioner submits that the Petitioner confines his claim of relief in respect of two vehicles only, bearing Registration Nos. OR-11-H-1114 and OR-16-E-2303 (Both Trucks). He, therefore, submits that in terms of the order dated 15th July, 2022, the Petitioner is required to deposit 50% of outstanding certificate dues for the aforesaid two vehicles only for recall of their warrant of attachment.
 4. Mr. Behera, learned Standing Counsel for Transport Department submits that the Petitioner may confine his claim in respect of the aforesaid two vehicles, but, in that event, it may be clarified that the authorities may proceed against other vehicles pursuant to the warrant of attachment issued.

5. Mr. Jena, learned counsel, however, submits that after filing of objection by the Petitioner, the authorities recalled the warrant of attachment in respect of other five vehicles. Thus, no step pursuant to the warrant of attachment in respect of those vehicles can be taken.

6. Mr. Behera, learned Standing Counsel for Transport Department further submits that he has no instruction on the same.

7. Taking into consideration the submissions of learned counsel for the parties, the I.A. is disposed of with a direction that on depositing 50% of outstanding certificate dues in respect of the vehicles bearing Registration Nos. OR-11-H-1114 and OR-16-E-2303 (Both Trucks) with the R.T.O.-cum-Tax Recovery Officer, Jharsuguda-Opposite Party No.3 within a period of four weeks hence, the warrant of attachment in respect of those vehicles be recalled. The authorities are free to take action in respect of other vehicles in accordance with law.

8. It is made clear that the order dated 15th July, 2022 is accordingly modified to the aforesaid extent.

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

(K.R. Mohapatra)
Judge

bks