

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WA No.483 of 2018**

***State Transport Authority, Odisha & ....  
Another***

***Appellants***

Mr. Pravakar B.K. Sharma, Advocate

*-versus-*

***TATA Motors Finance Ltd. ....***

***Respondent***

None

**CORAM:**

**THE CHIEF JUSTICE**

**JUSTICE M. S. RAMAN**

**ORDER**

**03.11.2022**

**Order No.**

12. 1. It is seen that the State Transport Department has complied with the order dated 17<sup>th</sup> August, 2017 passed by the learned Single Judge in W.P.(C) No.7544 of 2017 and endorsed the termination of hypothecation in the certificate of registration in accordance with Section 51 of the Motor Vehicles Act and Rule 60 and 61 of the Central Motor Vehicles Rules, 1989. The learned Single Judge was also of the view that “the Registering Authority cannot refuse endorsement of hypothecation and cancellation thereof in the certification of registration on the grounds not permissible in law”.
2. The said judgment has not been stayed by this Court and has held the filed for more than five years now. In the circumstances, the Court sees no reason to interfere with the impugned order at this stage. Even on merits, the Court finds no reason to interfere as the

requirement for making endorsement of hypothecation or cancellation thereof on the certification of registration is not connected to the renewal of trade certificate issued in favour of the finance company.

3. The writ appeal is, accordingly, dismissed.

**(Dr. S. Muralidhar)**  
**Chief Justice**

**(M. S. Raman)**  
**Judge**



*Aks/MRS*