

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 23854 OF 2022

Bhawesh Patel @ Bhawesh Kumar Patel ***Petitioner***

Mr. Dharendra Kumar Mohapatra,
Advocate

-versus-

State of Odisha and others ***Opp. Parties***

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

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
19.09.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The Petitioner, who is a owner of vehicle bearing Registration No.OR-17-B-8846 (Mahindra Pickup Van), challenges the notice to show cause dated 17th January, 2022 vide TRC No. 251 of 2022, notice of demand of M.V. Tax and penalty amount of dated 17th January, 2022 and the certificate of Recovery dated 17th January, 2022 for the period from 1st October, 2011 to 31st December, 2021 in respect of the aforesaid vehicle.
3. It is submitted by learned counsel that the Petitioner is ready and willing to pay the certificate amount of Rs.50,799/- as mentioned in Annexure-1 series 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.50,799/-, this Court disposes of this writ petition with a direction that in the

event the Petitioner deposits the aforesaid amount 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, if any, 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.

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

(K.R. Mohapatra)
Judge

bks

