

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 25625 of 2022

Prasanna Kumar Mohapatra ***Petitioner***
Mr. Biswabhusan Das, Advocate

-versus-

State of Odisha and others ***Opp. Parties***
Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

Order No.

ORDER
30.11.2022

2.
 1. This matter is taken up through Hybrid mode.
 2. On the oral prayer of learned counsel for the Petitioner he is permitted to implead Authorized Officer-cum-Assistant Conservator of Forest, Cuttack Forest Division, Cuttack as Opposite Party No.5 to the writ petition.
 3. This writ petition has been filed for release of vehicle of the Petitioner bearing registration No.OD-21-F-4294 (Tata Ace) seized by forest officials.
 4. Considering the submission of learned counsel for the Petitioner, this Court, vide order dated 2nd November, 2022 directed learned State Counsel to take instruction as to whether confiscation proceeding has been initiated in respect of the aforesaid vehicle.
 5. Mr. Mishra, learned ASC on instruction submits that confiscation proceeding bearing OR Case No.16 Jsp of 2021-22 has been initiated and pending before the Authorized Officer.

Since the Petitioner has not filed his show cause there is no progress in the proceeding.

6. Mr. Das, learned counsel for the Petitioner submits that no notice whatsoever has yet been served on the Petitioner to participate in the aforesaid proceeding.

7. In view of the submissions made by learned counsel for the parties, this Court disposes of the writ petition with a direction that in the event, the Petitioner appears before the Authorized Officer-cum-Assistant Conservator of Forest, Cuttack Forest Division, Cuttack-Opposite Party No.5 on 12th December, 2022 and participate in the proceeding, he shall take expeditious steps for disposal of the confiscation proceeding. It is further directed that endeavour shall be made by the Opposite Party No.5 to conclude the confiscation proceeding within six months from the date of filing of show cause reply and the Petitioner shall cooperate the Authorized Officer-Opposite Party No.5 for early disposal of the confiscation proceeding.

8. As requested, a copy of this order shall be made over to Mr. Mishra, learned ASC for communication and compliance.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge