

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 29047 OF 2022

Hemanta Kumar Bisoi

....

Petitioner

Mr. Basudev Barik, Advocate

-versus-

The Regional Transport Officer, Angul

....

Opp. Parties

Mr. Pravakar Behera, Standing Counsel

(For Transport Department)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

13.12.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Regional Transport Officer, Angul to accept the current tax and issue permit and fitness certificate in respect of the vehicle bearing Registration No.OD-19-D-8591 (Tipper).
3. Taking into consideration the submission made by learned counsel for the Petitioner, this Court vide order dated 25th November, 2022 directed learned Standing Counsel for Transport Department to take instruction in the matter. On instruction, Mr. Behera, learned Standing Counsel for Transport Department submits that the Petitioner for non-payment of tax moved this Court in W.P.(C) No.31667 of 2020, which was disposed of on 26th November, 2020 directing the Petitioner to pay up-to-date tax within a period of one month from the date of receipt of the certified copy of the said order and to file an appeal assailing imposition of penalty within a period of four weeks. The Petitioner

has neither paid any tax nor filed appeal. Subsequently, the Petitioner filed W.P.(C) No. 18845 of 2022 for the self-same relief, which was disposed of as withdrawn vide order dated 5th August, 2022 to work out his remedy available under the statute. Accordingly, the Petitioner filed an appeal before the appellate authority. The Petitioner also approached the R.T.O., Angul to fix suitable installments to pay the tax and penalty. Considering the prayer of the Petitioner, the R.T.O., Angul allowed him to pay the arrear tax as well as penalty by fixing suitable installments. The Petitioner also failed to comply with the same, except paying the first installment as submitted by Mr. Behera, learned Standing Counsel.

4. At this stage, learned counsel for the Petitioner submits that the Petitioner will pay the installments regularly as fixed by the R.T.O., Angul.

5. In that view of the matter, this writ petition is disposed of with an observation that the Petitioner may approach the R.T.O., Angul for redressal of his grievances to pay the arrear tax and penalty.

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

(K.R. Mohapatra)
Judge

bks