

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.41383 OF 2021

Mohammad Izaz

....

Petitioner

Mr.B.M.Sarangi, Adv.

-versus-

R.T.O., Sundargarh & ors.

....

Opposite Parties

Mr.P.Behera, SC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
20.1.2022**

**Order
No.**

01.

1. This matter is taken up through video conference mode.
2. Heard learned counsel for the Parties.
3. Mr.Behera, learned Standing Counsel for the Transport Department seriously disputes that unless the tax aspect is cleared, there is no possibility of entering into the transfer aspect.
4. This Court expressing no opinion on merit, in disposal of the Writ Petition observes, in the event any such dispute is pending, action as appropriate be undertaken subject to clearance of tax aspect by the owner of the vehicle. However, when the Petitioner offers the tax amount involved herein involving the Vehicle bearing Regn. No.OD 16E 5199 (Trailer) within one week, the same may be accepted and consequential decision on the fitness aspect be also undertaken. If the Petitioner so advised may challenge the penalty aspect in proper forum and in such event the penalty aspect shall be considered keeping in view the decision of this Court taken in W.P.(C) No.33263/2021 on 8.11.2021.
5. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the Parties may utilize a printout of the order available in the High Court's Website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's

Notice No.4587 dated 25th March, 2020, modified by Notice No.4798 dated 15th April, 2021 and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Biswanath Rath)
Judge

M.K.Rout

