

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**WEDNESDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 30034 OF 2024

Between:

Ali Azghar, S/o Shaik Moulana, Age 28 years, Occ. Pvt. Employee, R/o H. No. 3-5-782/11, King Koti, Himayathnagar, Telangana.

.....PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary Prohibition and Excise Department, Secretariat Buildings, Hyderabad, Telangana.
2. The Deputy Commissioner, Prohibition and Excise, Abkari Bhavan, Nampally, Hyderabad, Telangana.
3. The Station House Officer, Prohibition and Excise Station, Narayanguda, Telangana.

.....RESPONDENTS

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ or any other order or direction particularly one in the nature of Writ of Mandamus declaring the action of respondent No. 2 and 3 in not releasing the bike i.e., Honda Activa bearing No. TS 09 FG 2763, having Chassis No. ME4JF5OBEKG018043, registered on 10/07/2019, as arbitrary, illegal and contrary to the provisions of the Telangana Excise Act, 1968.

I.A.NO:1 OF 2024

Petition Under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No. 2 and 3 to forthwith release bike i.e., Honda Activa

bearing No. TS 09 FG 2763, having Chassis No. ME4JF5OBEKG018043, registered on 10/07/2019, pending disposal of the main writ petition.

Counsel for the Petitioner : SRI MOHD ISLAMUDDIN ANSARI

Counsel for the Respondents : GP FOR PROHIBITION AND EXCISE

The Court made the following ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.30034 of 2024

ORDER:

Learned Assistant Government Pleader for Prohibition and Excise submitted that the authority for release of the subject vehicle is the Drug Disposal Committee constituted in terms of the notification issued by the Ministry of Finance, Government of India, dated 23.12.2022 and the Drug Disposal Committee is functioning at Abkari Bhavan viz. Deputy Commissioner, Prohibition and Excise, Abkari Bhavan, Nampally, Hyderabad.

2. In view of the above, this Court is not inclined to pass any orders in the writ petition.

3. However, the writ petition is disposed of giving liberty to the petitioner to file an application before the Drug Disposal Committee for release of the seized vehicle viz. Honda Activa bearing No.TS 09 FG 2763, in connection with COR.No.38 of 2024 of Prohibition and Excise Station, Narayanguda. Such application shall be disposed of by the Drug Disposal Committee within one week thereafter in accordance with law.

The miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

**SD/-V. KAVITHA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Prohibition and Excise Department, Secretariat Buildings, State of Telangana at Hyderabad, Telangana.
2. The Deputy Commissioner, Prohibition and Excise, Abkari Bhavan. Nampally, Hyderabad, Telangana.

3. The Station House Officer, Prohibition and Excise Station, Narayanguda, Telangana.
4. Two CCs to GP FOR PROHIBITION & EXCISE, High Court for the State of Telangana. [OUT]
5. One CC to SRI MOHD ISLAMUDDIN ANSARI, Advocate [OPUC]
6. Two CD Copies

SA

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HIGH COURT

BVR,J

DATED:04/12/2024

ORDER

WP.No.30034 of 2024



**DISPOSING OF THE W.P
WITHOUT COSTS.**

9Xp's
13/12/24