APHC010167612025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3331]**
(Special Original Jurisdiction)

THURSDAY ,THE THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 8722/2025

Between:

Orange Passenger Transport Pvt Ltd **...PETITIONER**

AND

The State Of AP and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. B SIVARAMAKRISHNAIAH

Counsel for the Respondent(S):

1. GP FOR TRANSPORT

The Court made the following ORDER:

The above writ petition is filed to declare the action of the 2nd respondent in insisting payment of tax and penalty as a condition to release the vehicle bearing No.NL01B 3146 seized on 28.03.2025 vide Ex.P.1 vehicle check report, as illegal and arbitrary.

2. Heard Sri B.Siva Rama Krishnaiah, learned counsel for the petitioner and Sri Abdul Rasheed, learned Assistant Government Pleader for Transport for the respondents.

3. Learned counsel for the petitioner would submit that without conducting any inquiry, in pursuance of the infringement report, Ex.P.1 was issued to the petitioner to pay a fine amount of Rs.4,93,000/-.

4. Learned Assistant Government Pleader for Transport would submit that the infringements were noted in Ex.P.1 – vehicle check report.

5. The Division Bench of the composite High Court in **Saleem Tours and Travels vs. Joint Transport Commissioner and Secretary**[1] considered the aspect of seizure of the vehicle and the consequential direction to release the vehicle. Following the Division Bench judgment, the learned Single Judge of this Court passed an order dated 22.02.2025 in W.P.No.4875 of 2025.

6. Learned counsel on either side would submit that the issue involved in this writ petition is squarely covered by the order dated 22.02.2025 in W.P.No.4875 of 2025.

7. Since the issue involved in the case at hand is squarely covered by the order dated 22.02.2025 in W.P.No.4875 of 2025, this writ petition is disposed of in terms of W.P.No.4875 of 2025 with the following conditions.

> i) The respondents shall release the vehicle bearing No.NL01B 3146 seized on 28.03.2025 vide Ex.P.1 vehicle check report to the petitioner on condition of paying 50% of the tax along with the compound fees as on today and on producing demand draft or receipt acknowledging the payment.
>
> ii) The petitioner shall submit an undertaking to the effect that the subject vehicle will be produced as and when required for inquiry and that the same would not be alienated pending inquiry.
>
> iii) No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

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SUBBA REDDY SATTI, J

Date: 03.04.2025
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