IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.26367 of 2024

Krish Coal Mover, Jharsuguda .... ***Petitioner***
Mr. Braja Mohan Sarangi, Advocate

-versus-

State of Odisha and another .... ***Opposite Parties***
Mr. Pravakar Behera, Standing Counsel for Transport Department

CORAM:
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

Order No. 02.

ORDER
05.11.2024

This matter is taken up through Hybrid Mode.

2. The petitioner has filed this writ petition questioning the levy of Motor Vehicle Tax and Additional Motor Vehicle Tax in respect of the vehicle bearing Registration No.OD-23-B-5349 for the periods from 01.07.2020 to 30.09.2024 showing arrears as uploaded in the web-portal of the Transport Department without calling for any reply/explanation.

3. Learned counsel for the petitioner conceded that such arrears of the Motor Vehicle Tax as well as the Additional Motor Vehicle Tax have not been paid due to inadvertence and, therefore, it is submitted that the opposite parties be directed to accept deposit of the said amounts towards arrears of the Motor Vehicle Tax and the Additional Motor Vehicle Tax. It is further undertaken that the petitioner will submit reply to the opposite parties-authority who may be directed to consider waiver of amount of penalties as shown in the web-portal in respect of aforesaid periods under Section 13 of the Odisha Motor Vehicle Taxation Act, 1975.

4. Mr. Pravakar Behera, learned Standing Counsel appearing for the Transport Department-opposite parties submitted that the aforesaid tax and penalties are shown in the web portal of the Transport Department which is downloaded by the petitioner and challenged before this Court. He submitted that though no demand notice has yet been served, as the petitioner has conceded to deposit the arrears of tax as referred to above, he may do so and approach the appropriate authority with reply.

5. This Court on consideration of aforesaid submissions and taking into view the prayer made by the petitioner, without rendering any opinion on merits of the matter, disposes of this writ petition granting liberty to the petitioner to deposit the outstanding Motor Vehicle Tax as well as Additional Motor Vehicle Tax as on date and approach the authority with a reply/explanation within a period of four weeks from today. On such deposit being made, the authority concerned shall consider such reply within a period of four weeks thereafter.

6. Needless to observe that, the payment of outstanding Motor Vehicle Tax as well as Additional Motor Vehicle Tax may be accepted by the opposite parties and on filing appropriate application before the authority concerned, the same shall be considered for issuance of permit and fitness certificate in respect of the aforesaid vehicle in accordance with law.

(M.S. Raman)
Judge

Laxmikant