



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C)No.1799 of 2025

Mita Parida

....

Petitioner

Represented

By Adv.

Mr. B. M.

Sarangi,

Advocate

-versus-

RTO, Dhenkanal

....

Opposite Party

Represented By

SC

Mr. Pravakar

Behera

CORAM:

DR. JUSTICE S.K. PANIGRAHI

ORDER

22.01.2025

Order

No.

01. 1. This matter is taken up through hybrid arrangement.
2. In filing this Writ Petition, the Petitioner claiming himself to be the owner of the vehicle in question, has sought for a direction from this Court to the RTO, Dhenkanal/Opposite Party for releasing his vehicle bearing Registration No.OD05BL 3582 (Truck).
3. Learned counsel for the Petitioner submits that the vehicle of the Petitioner has been seized by the Regional



Transport Officer, Dhenkanal-Opposite Party for non-payment of M.V. Tax and also for other allied offences. He also submits that the Petitioner is agreed to pay 50% of the challan/fine amount with M.V. Tax. He also prays for granting necessary permission to the Petitioner to file show cause as per the provision under Section 13(2) of the Odisha Motor Vehicles Taxation Act, 1975 (for short 'the Act') in respect of the penalty imposed.

4. Learned counsel for the Petitioner further contends that in the meantime, though the Petitioner attempted to pay 50% of the challan/fine amount, the authority concerned refused to accept the same.

5. At this juncture, Mr. Behera, learned Standing Counsel for the Transport Department submits that if the Petitioner pays the outstanding M.V. tax including 50% of the challan/fine amount and files her show cause reply as per the provision under Section 13(2) of the Act in respect of the penalty imposed, the authority concerned shall consider the case of the Petitioner for release of her vehicle. Hence, he prays that the Petitioner is required to produce the original driving license of the Driver of the offending vehicle for granting of appropriate relief.

6. Considering the submissions made by the learned counsel for the parties, this Court disposes of this Writ



Petition with a direction that in the event the Petitioner deposits the entire outstanding M.V. Tax amount including 50% of the challan/fine amount and files show cause reply under Section 13(2) of the Act in respect of the penalty imposed within a period of four weeks hence, the vehicle in question shall be released in her favour. It is further directed that the Petitioner shall produce the original driving license of the Driver of the offending vehicle. The Petitioner shall also file an undertaking to cooperate the Authorities for compounding/contesting the challan raised in respect of the aforesaid vehicle.

7. This Writ Petition is, accordingly, disposed of.
8. Issue urgent certified copy of this order as per rules.

(Dr. S.K. Panigrahi)
Judge