(2022) 11 OHC CK 0097

In the Orissa High Court

Case No : Writ Petition (C) No. 29825 Of 2022

Gyana Ranjan Biswal APPELLANT

Vs

State Of Odisha And Another RESPONDENT

Date of Decision : 11-11-2022

Acts Referred:

Citation : (2022) 11 OHC CK 0097

Hon'ble Judges : K.R. Mohapatra, J

Bench : Single Bench

Advocate : Sitansu Mohan Singh, Pravakar Behera

Final Decision : Disposed Of

Judgement

K.R. Mohapatra, J

1. This matter is taken up through hybrid mode.

2. The Petitioner in this writ petition prays for a direction for acceptance of arrear MV tax amount by exempting penalties due to non-payment of MV tax in respect of vehicle bearing Registration No.OD-34-8374 for the period from 1st October, 2021 to 31st December, 2022 within the stipulated period.

3. Learned counsel for the Petitioner submits that the Petitioner may be permitted to pay the arrear MV tax and move the appellate authority challenging imposition of penalties. He further submits that due to some inadvertency, the Petitioner could not pay the MV tax in time in respect of the aforesaid vehicle for which the authorities have imposed penalties. He, therefore, prays for a direction for waiver of the penalties and acceptance of the arrear MV tax in question.

4. Mr. Behera, learned Standing Counsel for the Transport Department submits that similar writ petitions have been disposed of granting liberty to the Petitioner to pay the arrear MV tax and file an appeal before the appellate authority assailing imposition of penalties.

5. Taking into consideration the submissions of learned counsel for the parties, this writ petition is disposed of with a direction that in the event the Petitioner pays the arrear MV tax in respect of the vehicle bearing Registration No.OD-34-8374 within a period of four weeks and gives an undertaking to the effect that he will file appeal before the appellate authority for waiver of the penalties, the appropriate authority shall accept the same and proceed in accordance with law. On payment of outstanding MV tax amount and upon filing of an application, if any, the authority shall consider issuance of permit and fitness certificate in respect of the aforesaid vehicle in accordance with law.

Urgent certified copy of this order be granted on proper application...

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