

(2021) 07 OHC CK 0020

In the Orissa High Court

Case No : Writ Petition (Civil) No. 18987 Of 2021

Ratnakar Behera

APPELLANT

Vs

R.T.O., Ganjam

RESPONDENT

Date of Decision : 02-07-2021

Acts Referred:

Citation : (2021) 07 OHC CK 0020

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

Bench : Single Bench

Advocate : Braja Mohan Sarangi, Pravakar Behera,

Final Decision : Disposed Of

Judgement

K. R. Mohapatra, J

1. This matter is taken up through video conferencing mode.
2. The Petitioner in this writ petition prays for a direction for exemption of penalties due to non- payment of tax of the vehicle bearing Registration No.OR-07-S-2535 (Truck) for the period from April, 2019 to June, 2021 within the stipulated period.
3. Mr. Sarangi, learned counsel for the Petitioner submits that the Petitioner may be permitted to pay the arrear tax and move the appellate authority challenging imposition of penalties. He further submits that due to some inadvertency, the Petitioner could not pay the 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 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

Petitioners to pay the arrear 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 tax in respect of the vehicle bearing registration No.OR-07-S-2535 (Truck) within a period of four weeks and gives an

undertaking to the effect that he will file an appeal before the appellate authority for waiver of the penalties, the appropriate authority shall accept the

same and proceed in accordance with law.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order

available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide

Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021.

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