

W.P.(C) No. 23082 of 2015

24.12.2015 Heard Mr. B.M. Sarangi, learned counsel for the petitioner and Mr. B.K. Sharma, learned Standing Counsel for the Transport Department.

The petitioner has filed this application seeking for a direction to opposite parties to allow transfer of ownership, permit and fitness certificate after payment of the tax amount in respect of his vehicle bearing Registration No.OR-09-P-0618 and further seeks for a direction not to collect the penalty which is two times higher than the tax.

Mr. B.M. Sarangi, learned counsel for the petitioner submits that the petitioner is willing to pay the tax, but the authority has imposed penalty.

Mr. B.K. Sharma, learned Standing Counsel for the Transport Department submits that law requires to pay tax for plying the vehicle. So far as penalty is concerned, there is procedure available under the Statute which the petitioner may comply, if so advised.

Considering the contentions raised by the parties and after going through the records, this Court disposes of this writ petition directing the authority to accept the tax. So far as penalty is concerned, the petitioner is permitted to follow the procedure as envisaged under the Statute by approaching appropriate authority in accordance with law.

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

Dr. B.R. Sarangi,J.