

W.P.(C) No.11742 of 2016

29.07.2016 Heard Mr. D.K. Mohapatra, learned counsel for the petitioner and Mr. Sharma, learned Standing Counsel for the Transport Department.

Challenge is made to the order dated 23.06.2016 passed by the learned Transport Commissioner, State Transport Authority, opposite party no.2, dismissing the appeal and thereby confirmed the order passed by the Tax Recovery Officer-cum-Regional Transport Officer, Sundargarh in Tax Recovery Case No.1684 of 2015 and Tax Recovery Case No.1050 of 2016. By the said order, the petitioner failed to pay tax in respect of his vehicle OR-16D-9898 amounting to Rs.7,41,660/- and Rs.1,22,670/- against vehicle OR-16D-8698 for which he was directed to pay penalty.

Mr. Mohapatra, learned counsel for the petitioner submits that in the meantime the petitioner has paid the substantial amount and the vehicle has been released. He further submits that liberty may be granted to the petitioner to file appropriate application before the R.T.O., Sundargarh, opposite party no.4, to waive the rest amount.

In view of the fact that the petitioner has paid the substantial amount of tax, this petition is disposed of granting liberty to the petitioner to file an appropriate application before the R.T.O., Sundargarh, opposite party no.4, to waive the rest amount. In the event the petitioner files an application before the opposite party no.4 within fifteen days from today, the opposite party no.4 shall do well to consider the same after affording opportunity of hearing to the petitioner within a period of one month thereafter.

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Dr.A.K.Rath, J.