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Location: HIGH COURT OF ORISSA, CUTTACK
Date: 16-Nov-2026 17:36:59

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.35653 of 2026
CNR No. ODHC010838052026

Munna Rout ... ***Petitioner***

Mr. P. Nayak, Advocate

-versus-

State of Odisha and others ... ***Opposite Parties***

Mr. P. Behera, SC for Transport Dept.

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL): 16.11.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. The petitioner by way of this Writ Petition prays to quash/ set aside the demand made under Annexure-1 so as to the extent of penalty and to direct OP No. 4 to accept the tax and additional tax together with fees towards renewal of fitness certificate/permit.

3. Heard, Mr. Pramin Nayak, learned counsel for the writ petitioner and Mr. P. Behera, learned Standing Counsel for Transport Department and perused the record.

4. After having considered the rival submissions and upon perusal of record, since the petitioner wants to deposit the tax, but not the penalty without hearing him and keeping in view the provision of Sec. 13 of Orissa Motor Vehicles Taxation Act, 1975, this Court without delving into the matter on merit, disposes of the Writ Petition granting liberty to the petitioner to pay the tax, additional tax together with fees as shown

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due under Annexure-1 and direct OP No. 4 to consider and dispose of if any application is made qua the penalty, but the same shall be disposed of in accordance with law and rules applicable thereto. It is, however, made clear that no order on penalty shall be passed against the petitioner without following the provision of Sec. 13 of Orissa Motor Vehicles Taxation Act, 1975 and rules made applicable thereto. Annexure-1 does form part of this order.

5. Needless to say, this Court has not observed anything on merit and the authority concerned is free to pass any order in accordance with law.

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

(G. Satapathy)
Judge

Rojalin