

IN THE COURT OF SRI MAYANK MALIYAZ, J.M.F.C., JAMSHEDPUR

I.D. : JH00662

Telco PS- 78/23

MCA-6568/23

06.02.2024:

Order

1. Record is taken up to pass order for release of vehicle (tailor) bearing no. JH-05HTC 1034, which has been seized in connection with this case. The petition has been filed on behalf of the petitioner/ claimant namely Anand Vardhan G.M., Legal Services, Tata Motors Ltd. In support of his contention he has filed relevant papers of vehicle and the same is attached / retained to the case record. One letter of authority dt. 27.10.21/11.07.22 has also been filed along with an affidavit by Anand Vardhan stating therein that the Letter of Authority still not revoked.
2. Ld. Claimant counsel submitted that the vehicle has been kept in Telco PS and now lying within the concerned PS and due to the absence of the vehicle the petitioner is suffering loss and the same is lying unattended uncared in the concerned police station. Lastly, prayed to release the vehicle in his favour by further submitting that the vehicle is commercial one. He has also submitted that Anand Vardhan is the General Manager of Tata Motors Services Legal services department and has also letter of authority issued by the company in his favour.
3. Ld. APP submitted that the court may pass appropriate order.
4. Heard both the sides perused the case record. From perusal it transpires that charge sheet has been submitted meaning thereby investigation has been completed. Further perusal of case record it is apparent that the driver of the vehicle has been enlarged on bail. Police has also submitted the report dated 30.01.24 and as per the report of police SI Jaikant Kumar Rai that the police has no objection, if the said vehicle is released in favour of the claimant/petitioner and the vehicle belongs to the owner namely Tata Motors Ltd., Engineering Research, Center, Jamshedpur. The invoice paper of the vehicle also shows that the vehicle is in the name of Tata Motors Ltd., Engineering Research, Center, Jamshedpur. The policy schedule cum certificate of insurance paper also shows the insured name as Tata Motors Ltd., Engineering Research, Center, Jamshedpur. The petitioner has also filed letter of authority which is issued by the owner/company Tata Motors Ltd., Engineering Research, Center, Jamshedpur in favour of claimant Anand Vardhan where he has been authorized by the

company to represent the company and to attend any legal proceeding before any court. The affidavit has also been filed which shows that the same has not been revoked up till now.

5. Therefore, the vehicle no. JH-05HTC 1034 is hereby released in favour of owner namely Tata Motors Ltd., Engineering Research, Center, Jamshedpur through Anand Vardhan (G.M.), Tata Motors Ltd., Jamshedpur, by furnishing indemnity bond of **Rs.71,00,000/-** with one surety of like amount with direction to the owner / petitioner, not to change the colour, structure and contour of the vehicle without prior permission of this court and also not to sale or transfer or any mode of transfer without prior permission of this court and produced the vehicle, whenever and where ever required by the court. The releasing authority is directed to prepare a panchnama of the vehicle and to obtain the photographs of the vehicle prior to its release.

MCA No.6568/23 stands disposed of accordingly.

[Typed directly upon dictation.)

Sd/-

(Mayank Maliyaz)
J.M.F.C.
I.D. : JH00662