



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35370 of 2025

Field Motor Private Limited, Cuttack

Petitioner

Mr. R. Roy, Advocate

-Versus-

State of Odisha & Others

.... Opposite Parties

Mr. J.K. Khandayatray, ASC

CORAM:

JUSTICE DIXIT KRISHNA SHRIPAD

ORDER

12.12.2025

Order No.
01.

The short grievance of the Petitioner is as to non-consideration of his representation dated 23.09.2025 given to the Inspector In-Charge, Sadar Police Station, Cuttack, wherein a request is made to take all private vehicles entrusted to Petitioner's garage by the owners of the said vehicle.

2. Learned counsel for the Petitioner loudly reads provisions of Sections 61, 62, 63, & 64 of Orissa Urban Police Act, 2003 in support of his claim that where the private owners, on entrusting the vehicle to the garage man, do not take them back within a reasonable time, the police should act and take possession of the subject vehicles to their custody to deal in accordance with law.

3. Learned ASC-Mr. Khandayatray appearing for the OPs vehemently opposes the petition contending that all standard Books like 'Chitty on Contracts (1826)' & 'Anson's Law of Contract, 29th Edition' said where a vehicle is entrusted by the owner to the garage man, it is a case of bailment and therefore, interference of



the public authority is not warranted. This is the perfect legal position, even according to this Court.

In the above circumstances, petition being devoid of merits, is liable to be rejected and accordingly it is. However, it is open to the Petitioner to take other appropriate legal proceedings elsewhere in accordance with law for the redressal of his grievance.

Web copy of this order to be acted upon by all concerned.

(Dixit Krishna Shripad)
Judge

Madhusmita