

SQP

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1487 OF 2015**

Bharati Subhash Thakkar	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

Mr. Suhas Shivaji Deokar for the Petitioner

Mr. V. P. Malvankar, A.G.P `A' Panel for the Respondent-State

**CORAM : A. S. OKA &
REVATI MOHITE DERE, JJ.
MONDAY, 13th JULY, 2015**

P.C. :

1. We grant leave to amend to correct the name of the petitioner.
Amendment to be carried out in the course of the day.

2. The petitioner has accepted that the Oil Tanker belonging to her was brought within the limits of the Mumbai in breach of order dated 3rd March, 2004 in Writ Petition No. 1762 of 1999. Our attention is invited to various orders of this Court including order dated 29th April, 2014 in Writ Petition No. 4236 of 2014. The learned Counsel appearing for the petitioner tenders a pay order in the sum of Rs. 25,000/- drawn in the name of Regional Transport Office, Mumbai Central, drawn on KNS Bank. The

pay order is handed over by the learned Counsel appearing for the petitioner to the learned A.G.P. A photocopy of the pay order is taken on record and marked 'A' for identification.

3. The petitioner has given undertaking affirmed on 10th July, 2015 which is taken on record and marked 'B' for identification. We accept the undertaking.

4. In view of what is recorded above, and in the light of various orders passed by this Court in similar cases, including the judgment and order dated 27th July, 2011 in Writ Petition No. 5509 of 2011, the petition will have to be made absolute. Accordingly, we pass the following order:

ORDER

(i) Undertaking of the petitioner is accepted. In view of the undertaking and in view of willingness shown by the petitioner to pay an amount of Rs. 25,000/- to the respondents, the petition is allowed in terms of prayer clause (a).

(ii) We, however, make it clear that the vehicle shall be released only after amount of Rs. 25,000/- is credited to the account of the Regional Transport Office, Mumbai Central.

(iii) All concerned to act upon the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

(A. S. OKA, J.)