

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7460 OF 2014

Shri Sambhaji Govind Patil	...	Petitioner
V/s.		
The State of Maharashtra & anr.	...	Respondents

Mr. Harshal N. Mirashi for the petitioner.
Mr. P.P. Kakade, AGP for the State.

**CORAM : NARESH H. PATIL AND
A.S. GADKARI, JJ.**

7th January, 2015.

P.C.

Heard learned Counsel for the parties.

2. Learned AGP has placed reliance on the order passed by Division Bench of this Court (A.S. Oka & A.A. Sayed, JJ) in Writ Petition No. 4236 of 2014 on 29/4/2014 and order passed by Division Bench this Court (C.K. Thakker & Dr. D.Y. Chandrachud, JJ) in Writ Petition No. 1762/1999 on 3/3/2004.

3. The learned Counsel for the petitioner submits that petitioner was plying the vehicle without any intention to violate the mandatory provisions and the orders passed by this Court. The vehicle is at present in custody of RTO, Mumbai Central. The said vehicle has been detained after noticing that it is not conforming to the standards and is in violation of the directions issued by the Division Bench of this Court on 3rd March, 2004 in the Writ Petition No.

1762/1999.

4. The learned Counsel appearing for the petitioner submits that an undertaking will be submitted to the RTO, Mumbai.

5. We have perused the above stated orders and considered the submissions. In the facts of the case we pass following order:

The vehicle shall be released with appropriate instructions and directions to the petitioner by respondent authority on furnishing an undertaking and on tendering Demand Draft of Rs. 20,000/- (Twenty Thousand Only).

6. With aforesaid observations and direction, Writ Petition is disposed of.

(A.S. GADKARI, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.