

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL WRIT PETITION No. 788/2015.

Jamnadas Jagjiwandas Thakkar and others.

-VERSUS-

The State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B.P. DHARMADHIKARI
& V.M.DESHPANDE, JJ.**

DATE : DECEMBER 07, 2015.

Heard Shri T.H. Bewali, learned Counsel
for the petitioners and Shri S.M. Ukey, learned Addl.
P.P. for respondents.

2. After hearing before this Court on
18.11.2015 and 23.11.2015, the respondents have
passed an order imposing a penalty upon petitioners
on 23.11.2015. The order was informed to this Court
on 26.11.2015.

3. Today the learned counsel appearing for
petitioners upon instructions states that without
prejudice to the right of petitioners to challenge the
order dated 23.11.2015 and only to avoid recurring

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losses, the petitioners are ready and willing to pay the penalty as imposed, if their vehicle is immediately released.

4. Learned Addl. P.P. submits that if the order is complied with, the vehicle shall be released.

5. In this situation, we grant leave to petitioners to pay the penalty as imposed by order dated 23.11.2015 within a period of three days from today. If the penalty is so paid, the respondents shall release the vehicle in question of petitioners immediately.

6. However, this compliance by petitioners or release of vehicle by respondents shall be without prejudice to their rival contentions in so far as the merits of the challenge or challenge to the order dated 23.11.2015 are concerned.

7. Accordingly with this clarification and directions, we dispose of the Writ Petition. No costs.

JUDGE

JUDGE

Rgd.