

Mr. A.B. Kharosekar, advocate for petitioner.
Mr. S.S. Dande, AGP for the State.

WITH
WRIT PETITION NO.7770 OF 2016

Sachin s/o Arjun Bhore

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. A.B. Kharosekar, advocate for petitioner.
Mr. P.S. Patil, AGP for the State.

WITH
WRIT PETITION NO. 7771 OF 2016

Ganesh s/o Ramdas Lone

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. A.B. Kharosekar, advocate for petitioner.
Mr. V.M. Kangne, AGP for the State.

WITH
WRIT PETITION NO. 7772 OF 2016

Arjun s/o Nivrutti Bhore

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. A.B. Kharosekar, advocate for petitioner.
Mr. A.R. Kale, AGP for the State.

WITH
WRIT PETITION NO. 7773 OF 2016

Shrikant s/o Jaywant Bhade

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. A.B. Kharosekar, advocate for petitioner.
Mr. M.B. Bharaswadkar, AGP for the State.

WITH
WRIT PETITION NO. 7774 OF 2016

Murtuja Shaikh Ramjan

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. A.B. Kharosekar, advocate for petitioner.
Mr. S.S. Dande, AGP for the State.

WITH
WRIT PETITION NO. 7775 OF 2016

Jagdish s/o Balasaheb Kandekar

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. A.B. Kharosekar, advocate for petitioner.
Mr. P.S. Patil, AGP for the State.

**CORAM : R.M.BORDE &
K.L.WADANE, JJ.
DATE : 20th July, 2016**

PER COURT:

1 The only issue that is required to be taken into consideration, in these petitions, is in respect of release of vehicles allegedly attached by the respondent authorities. It is contended that, although the vehicles have been attached, the procedure prescribed by law, has not been observed. As per the procedure prescribed, appropriate orders in respect of release of vehicles will have to be passed by the Deputy Collector, authorized by the Collector, in that behalf.

2 In the circumstances, we direct the respondent authorities to produce the vehicles before the Deputy Collector, authorized by the Collector in that behalf on 26.7.2016. It would be open for the petitioners to apply for release of the vehicles and on making such applications, the concerned Deputy Collector shall direct release of the vehicles on acceptance of Bond for an amount, not exceeding the market value of the seized vehicles forthwith. The petitioners shall also, at the time of release of the vehicles, give an undertaking that, the vehicles in question will not be used in future for unauthorized extraction, removal, collection, replacement, picking up or disposal of minor minerals and transportation of the same. The petitioners shall undertake to produce the vehicles as and when directed by the Court, dealing

with the criminal prosecution, that may be initiated against the petitioners/accused. It would be open for the Collector to determine the amount of penalty, if any, in observance of the procedure prescribed under the Code and pass appropriate orders in that regard separately.

3 With these directions, writ petitions stand disposed of.

K.L.WADANE
JUDGE

R.M.BORDE
JUDGE

dyb/