

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8262 OF 2016

Anil Daji Dethe and Others	...Petitioners
vs.	
State of Maharashtra and Others	...Respondents

Mr. A.S. Khandeparkar a/w. Mr. Shantanu Chandratre i/b.
Khandeparkar & Associates, for the Petitioners
Ms. Nisha Mehra, AGP for the Respondents-State.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : **OCTOBER 25, 2016**

PC.:

- . Parties through their counsel.
2. On the basis of the allegations that the illegal excavated sand was being transported by the trucks held by the Petitioners apart from seizing the alleged sand, the trucks have been seized.
3. Keeping in view the fact that the seized trucks if not released would turn into junk, we dispose of this Petition by directing that on Petitioners' depositing amount of Rs. 50,000/- which comes approximately 40% of the amount which has been assessed as penalty

before Respondent No. 5 within one week from today for each truck, the trucks in question of the Petitioners be released of supratnama immediately.

4. As far as the demand is concerned, the Petitioners have statutory remedy available under the Maharashtra Land Revenue Code, 1966 which is kept open.

5. All the contentions raised are kept open.

6. However, it is made clear that we have not passed any order in regard to the excavated sand seized from the Petitioners.

7. Accordingly the Petition stands disposed of.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)