

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

CONTEMPT PETITION NO. 150 OF 2017

IN

WRIT PETITION NO.4023 OF 2017(P)

(DEEPAK SUBHASHCHANDRA BATRA...VS..SUHAS DIWASE, DIST. COLLECTOR & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.S.Kukday, Advocate for Petitioner.
Shri N.R. Patil, A.G.P. for Respondent Nos. 1 & 2.

CORAM : S.C.GUPTE, J.

DATED : AUGUST 16, 2017.

This contempt petition seeks an order of committal against the respondents for having breached or disobeyed the order passed by this Court on 29th June, 2017 in the writ petition. The petitioner's truck was seized by respondent No.3 for having illegally excavating sand. The impugned order is sought to be quashed by the present petition and the truck is sought to be released.

This Court by its order dated 29th June, 2017 issued notice to the respondents and in the meantime, directed respondent No.3 to produce the seized truck before the competent authority as per the provisions of Section 48(8)(2) of the Maharashtra Land Revenue Code, 1966. The order further directs respondent No.2 to pass necessary order under that provision. It is the grievance of the petitioner that necessary orders are not passed for release of the seized vehicle.

The learned A.G.P. for the State produces an order passed by the Sub-Divisional Officer and Deputy Collector levying penalty of Rs.41,600/- towards the unauthorized transportation of minerals.

The learned counsel for the petitioner offers to deposit the amount of Rs.41,600/- levied by the Sub-Divisional Officer and Deputy Collector towards penalty with the State Government.

Against the deposit of this amount the District Collector and Sub-Divisional Officer are directed to release the seized truck forthwith on furnishing personal bond in the sum not exceeding the market value of the seized truck.

The contempt petition is **disposed of** accordingly.
No order as to costs.

JUDGE

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