

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 682/2017

(M/S SHREE OM ROAD LINES VERSUS THE STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri U.A. Gosavi, counsel for the petitioner.
 Shri P.S. Tembhare, A.P.P. for the respondent/State.

CORAM : SMT. VASANTI A NAIK AND
M.G. GIRATKAR, JJ.

DATE : AUGUST 11, 2017.

By this criminal writ petition, the petitioner seeks a direction against the respondents to release the vehicle that was wrongfully seized by the respondent no.3.

According to the petitioner, the respondent no.3 did not have jurisdiction to seize the vehicle of the petitioner as the petitioner was plying the vehicle with valid permit from the State Transport authority. It is stated that though the original documents were shown to the respondent no.3, the respondent no.3 had wrongfully seized the vehicle in contravention of the provisions of Section 207 of the Motor Vehicles Act.

Shri Tembhare, the learned Additional Public Prosecutor appearing for the respondents, states on instructions from the respondent no.3 that as soon as the petitioner approaches the respondent no.3 and shows the original documents pertaining to the permit, registration certificate, etc. and pays the penalty for the irregularity committed by the driver while driving the vehicle, the vehicle of the petitioner would be released forthwith.

By accepting the statement made on behalf of the respondent no.3, that would be binding on the respondent no.3, we dispose of the writ petition with no order as to costs.

The points raised in the petition are kept open.

JUDGE

JUDGE

APTE