

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**1022 WRIT PETITION NO. 9939 OF 2018
WITH WP/9940/2018**

VARUN VASUDEV INGALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. P.B.Gamot, Advocate for Petitioner
Mr. S.W.Munde, AGP for Respondent Nos.1 to 4
...

**CORAM : R.M.BORDE AND
MANGESH S. PATIL, JJ.**

DATE : 25.10.2018

PER COURT :-

1. The vehicles belonging to the petitioner have been attached on account of alleged illegal transportation of minor minerals. The vehicles have been attached under the panchnama drawn by the Talathi. So far as the imposition of penalty is concerned, the petitioner contends that the order in that regard passed by the Tahsildar is subjected to challenge in the appeal proceeding pending before the Sub-Divisional Officer. The vehicles attached by the Revenue Authority is liable to be released subject to presentation of an undertaking

by the petitioner that in the event of issuance of the order directing recovery of fine and penalty from the petitioner he would deposit the same with the Revenue Authorities within a period of 8 weeks from the date of finalization of said order.

2. The petitioner shall tender necessary undertaking in the proceedings of these Writ Petitions within a period of one week from today. The copy of undertaking shall be furnished to the respondents. On tender of the undertaking as directed above, both the vehicles belonging to the petitioner shall be released.

3. The Writ Petitions are disposed of. This order is passed in the peculiar facts and circumstances of present cases.

(MANGESH S. PATIL, J.)

(R.M.BORDE, J.)

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vmk/-