

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1023 **WRIT PETITION NO. 11407 OF 2018**

JAFAR JAKIR SAYYAD

VERSUS

THE STATE OF MAHARASHTRA AD OTHERS

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Advocate for Petitioner : Mr. B.M. Dhanure

AGP for Respondents: Mrs. G.L. Deshpande

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

Date: October 30, 2018

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PER COURT :-

1 The vehicle belonging to the petitioner, has been attached, on account of illegal transportation of minor minerals. The revenue official has directed imposition of fine of Rs.2,35,880/- against the petitioner.

2 The petitioner is stated to have presented an appeal, challenging the directions issued by the revenue authority imposing fine and the said appeal is stated to be pending with the Sub Divisional Officer, Latur. The Sub Divisional Officer, Latur, as a precondition for deciding the appeal, directed petitioner to deposit 25% of the amount, however, the petitioner has not

complied with the directions issued by the Sub Divisional Officer.

3 Counsel appearing for the petitioner, on instructions, states that the amount, as directed by the Sub Divisional Officer i.e. 25% of the amount out of total fine directed to be deposited, will be deposited in the office of either Sub Divisional Officer or Tahsildar concerned, within one week from today.

4 On deposit of the amount, as directed, the vehicle belonging to the petitioner attached under the Panchanama drawn by the Nayab Tahsildar, shall be released. The petitioner shall tender an undertaking to this Court to the effect that, in the event of dismissal of the appeal presented by him before the Sub Divisional Officer or in the event of confirmation of the order passed by the Tahsildar and Sub Divisional Officer, by the Higher Authority, he shall deposit the balance amount of penalty with the concerned Tahsildar within four weeks from the date of such adverse decision. The undertaking shall be submitted in this Court within 8 days from today.

5 In view of directions as above, writ petition is disposed of.

(MANGESH S. PATIL, J.)

(R. M. BORDE, J.)