

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

100 WRIT PETITION NO.5319 OF 2019

SHAIKH SALIM SHAIKH SATTARMIYA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Ms. K.S.Bhale, Advocate for Petitioner.
Mr. S.N.Morampalle, AGP for Respondents-State.
...

**CORAM : S.V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 2nd July, 2019

PER COURT :-

1. The learned AGP submits that the petitioner has a remedy of second appeal.
2. The learned counsel for the petitioner, on instructions, has stated that the petitioner would file second appeal with regard to fine and penalty.
3. The petitioner seeks release of vehicle.
4. In fact the petitioner had already filed an appeal against the fine, penalty and for release of vehicle. The same is dismissed. The petitioner has to challenge the said order also. The petitioner may file an appeal against the said order

and if such an appeal is filed, the Appellate Authority shall decide the said appeal within one month of its filing.

5. With these observations, the Writ Petition is disposed of. It is made clear that the authority shall consider the matter on merits.

(MANGESH S. PATIL, J.)

(S.V. GANGAPURWALA, J.)

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vmk/-