

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

20 WRIT PETITION NO.7122 OF 2018

VIJAY GOPINATH BARHATE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Ashraf Patel h/f Mr. Abhijeet P. Avhad,
Advocate for the Petitioner.

Mrs. A. V. Gondhalekar, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATED : 6th MARCH, 2019.

PER COURT:-

1. It is submitted that the vehicle has been seized by the Flying Squad headed by Awal Karkun. The seizer by a person below the rank of Tahsildar is held to be illegal by this Court in Writ Petition No.4258/2018 under order dated 02.08.2018.

2. We are entertaining the petition only to the extent of seizer of vehicle. As far as aspect of penalty is concerned, the petitioner may take up proceedings as is permissible in law.

3. The respondent shall release the vehicle seized under panchanama dated 08.04.2018 (page no.31) upon verification of the documents of vehicle involved in the said panchanama, so also

verifying the ownership of the petitioner and the petitioner executing the bond of the value of the vehicle.

4. Writ Petition accordingly disposed of. No costs.

(A. M. DHAVALA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/March-19