

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

WRIT PETITION NO.9520 OF 2019

Jaising Indrasing Patil

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr V.S. Khairnar (Patil), Advocate for petitioner

Mr K.B. Jadhavar, A.G.P. for respondents no.1 to 4

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 11.10.2019

ORAL ORDER :

1. The crime is not registered in the present matter.
2. We would entertain the petition only to the extent of seizure of vehicle.. So far as averments in paragraphs 5 and 7 are concerned, the petitioner may avail the remedy as is admissible and permissible.
3. It is submitted that the vehicle is seized by the Talathi. At the relevant time, Talathi had no authority to seize the vehicle. Fine is also imposed upon the vehicle of Rs.1 lakh.
4. In light of that, we pass the following order.
5. The respondents shall release the vehicle of the petitioner seized under the panchnama dated 22.3.2019 (Page 16) upon the petitioner paying Rs.50,000/-. The respondents can also get the bond executed to their satisfaction from the petitioner. The respondents, before releasing the vehicle shall confirm the ownership of the vehicle and verify the documents.

6. The payment of Rs.50,000/- is without prejudice to the rights of the parties and subject to the decision that may be taken in appeal in case the petitioner files an appeal.
7. If the petitioner does not file an appeal within reasonable time, then the respondents can recover the entire amount under the impugned order and take appropriate steps.
8. Writ Petition stands disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V. GANGAPURWALA, J.)

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