

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

209 WRIT PETITION NO.9853 OF 2019

DIPAK BAJIRAO THATHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH

210 WRIT PETITION NO.9862 OF 2019

DIPAK BANSILAL PARDESHI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH

211 WRIT PETITION NO.9863 OF 2019

KAMLESH LAXMINARAYAN GAJLESHWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH

212 WRIT PETITION NO.9864 OF 2019

FIYAZ SHAMSHODDIN SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH

214 WRIT PETITION NO.9879 OF 2019

NARAYAN MACHINDRA PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH

215 WRIT PETITION NO.9890 OF 2019

NASIR SHAIKH BISMILLA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr Jain Rakesh Nemichandji
AGPs for Respondents State: Mr K B Jadhavar & Mr V M Kagne

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

DATE : 24th September, 2019

ORDER:

1. In all these petitions, petitioners are seeking relief for release of vehicles.

2. We had heard Mr. Jain learned counsel for the petitioners. The affidavit has been filed by the Tahsildar Shahada. The vehicles were detained on the ground that they were overloaded. It was stated that beyond the permissible capacity, sand was carried in the trucks. Final order has not yet been passed. The Tahsildar, by notice dated 18.07.2019, called for the explanation from the owners. Sub Divisional Officer was communicated to quantify the quantity in the vehicles. Report is received from the Sub Divisional Officer on 13.07.2019. It is further stated in the affidavit that appropriate decision will be taken by the Tahsildar either to release the vehicle or to impose penalty.

3. In view of the reply filed, the Tahsildar shall take decision as stated by him in para 7 of the affidavit within 10 days from today. The petitioners may file his reply with the Tahsildar. All contentions are kept open.

4. Writ petitions are disposed of. No costs.

5. Authenticated copy be given.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC