

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

WRIT PETITION NO. 10298 OF 2018

Hanumant S/o Manik Pawar

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. T.M. Venjane, Advocate for Petitioner

Mr. S.K. Tambe, Assistant Government Pleader for
Respondent Nos. 1 to 5

**CORAM : S.V. GANGAPURWALA AND
A.M. DHAVAL, JJ.**

DATE: 15th JANUARY, 2019

PER COURT

1. The petitioner seeks release of vehicle. As far as penalty is concerned, the learned Counsel for the petitioner submits that he has approached the Appellate Authority. In view of that, we are not concerned with the amount of penalty levied. The ground taken by the petitioner is that the vehicle is seized by the Talathi and Circle Officer. It could not have been seized by a person below the rank of Tahsildar. From the record, it appears that the Tahsildar only signed, but the vehicle has been seized in presence of

Talathi and Circle Officer, which is not permissible.

2. In light of that, the respondent shall release the vehicle of the petitioner i.e. JCB machine bearing Registration No. MH-17 AV-8316 forthwith upon the petitioner submitting a bond of value of said machine.

3. The Writ Petition is accordingly disposed of. No costs.

(A.M. DHAVAL, J.) (S.V. GANGAPURWALA, J.)

mta