

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

50 WRIT PETITION NO.12258 OF 2018

DINESH BABULAL MALI
VERSUS
THE STATE OF MAHARASHTRA AND ORS.

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Mr. P.B.Pawar, Advocate for petitioner.
Mrs. G.L.Deshpande, AGP for R – 1 to 3.

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

DATE : 05/03/2019

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ORAL ORDER:

. We have heard the learned counsel for the petitioner and we are not inclined to entertain the Writ Petition with regard to the imposition of penalty. The petitioner is at liberty to avail the remedy available.

2. As far as seizure of vehicle is concerned, the same appears to be by the Talathi and Circle Officer. As per the provisions and the Judgment of this Court, the seizure of vehicle can not be by a person below the rank of Tahsildar.

3. In light of the above, the respondents shall release the vehicle in favour of the petitioner seized under the panchanama [Exh. R-3] [page 80 and 81] on the petitioner submitting bond of the value of vehicle and the respondents verifying the papers about the ownership of the petitioner.

4. Writ Petition disposed of. No costs.

[A.M.DHAVALA]
JUDGE

[S.V.GANGAPURWALA]
JUDGE

KNP.