

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

WRIT PETITION NO. 14404 OF 2019

MANOJ WAGHOBA MUDIRAJ
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Shinde Dhananjay M.
AGP for Respondents / State : Ms. P. V. Diggikar

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**CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATE: 28th NOVEMBER, 2019

PER COURT:

1. We have heard Mr. Shinde, learned counsel for the petitioner. The learned counsel submits that the impugned order is *per-se* and *ex-facie* illegal.

2. The learned counsel for the petitioner further submits that the petitioner is ready to deposit the fine. The respondents be directed to release the vehicle.

3. The petitioner has already availed the remedy of appeal. When the substantive remedy of appeal

is already availed of, it would not be appropriate to exercise the writ jurisdiction..

4. The authority where the appeal is filed shall endeavour to decide the appeal expeditiously and preferably within three (03) months. The petitioner may appear before the appellate authority where the appeal is filed on 04.12.2019. All contentions are kept open.

5. Writ Petition stands disposed of. No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

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