

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

**WRIT PETITION NO. 14236 OF 2018**

PAWBA HIRAMAN MARATHE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner :  
Mr. S. P Salgar h/f. Mr. Jain Rakesh Nemichandji  
AGP for Respondents: Mr. K. B. Jadhavar

...

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

**DATE: 11<sup>th</sup> FEBRUARY, 2019**

**PER COURT :**

1. The vehicle of the petitioner is seized for illegal transportation of sand. The Panchanama shows the signature of the Circle Officer and the Talathi only. This Court has already held that these officers do not have power to seize the vehicle.

2. In the light of above, the respondents shall release the vehicle seized under Panchanama dated 13.12.2018 (*Exhibit - A, Page No. 10*) after

verification of the papers and submission of the bond of the value of the vehicle. As far as penalty is concerned, we are not entertaining the writ petition. The petitioner may take steps as may be permissible in law.

3. Writ Petition accordingly stands disposed of.  
No costs.

**[A. M. DHAVAL, J.]      [S. V. GANGAPURWALA, J.]**

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