

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

**18 WRIT PETITION NO. 14844 OF 2019**

Jakir Babulal Pathan

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. A. B. Kharosekar, Advocate for Petitioner.

Mr. G. O. Wattamwar, AGP for Respondents-State.

**29 WRIT PETITION NO. 14856 OF 2019**

Sameer Tayyab Pathan

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. A. B. Kharosekar, Advocate for Petitioner.

Mr. G. O. Wattamwar, AGP for Respondents-State.

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

**DATED : 10<sup>th</sup> DECEMBER, 2019.**

**PER COURT:-**

1. The seizure is after amendment to Section 47 (8) of the Maharashtra Land Revenue Code, 1966. Even the officers below the rank of Tahsildar are authorized to seize the vehicle on the ground of illegal transportation and excavation of sand.
2. The petitioners have remedy of appeal.

3. In the light of that, writ petitions are disposed of with liberty to the petitioners to avail the remedy of appeal. All contentions of the petitioners are kept open. No costs.

4. In case, appeals are filed by the petitioners, the authority where the appeals would be filed, shall endeavour to decide the same expeditiously and preferably within a period of three (03) months. The authority shall also decide the stay application.

**( AVINASH G. GHAROTE )**  
**JUDGE**

**( S. V. GANGAPURWALA )**  
**JUDGE**

PS.B.