

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

950 WRIT PETITION NO.1331 OF 2020

**SAGAR AMARNATH DEOKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Kharosekar A. B.
AGP for Respondents No. 1 to 4: Mr. P. S. Patil

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**CORAM: S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATE: 07th OCTOBER, 2020

PER COURT:

1. The vehicle of the petitioner has been seized by the Circle Officer. The same has been seized in August-2019 i.e. prior to the amendment authorising the Circle Officer to seize the vehicles.

2. As the vehicle has been seized by the unauthorised persons, we have entertained the petition.

3. The learned Additional Government Pleader submits that the penalty is also imposed upon the petitioner. As far as the penalty is concerned the petitioner may file an appeal. As the seizure of the vehicle is by a person without authority on the relevant date, we pass the following order.

4. The respondent / authority shall release the vehicle of the petitioner seized under the Panchanama dated 16.08.2019, upon verifying the ownership of the petitioner and also the documents. The respondents can get the bond executed to their satisfaction.

5. The petitioner shall deposit an amount of Rs.1,00,000/- (Rs. One Lakh only) with the respondents before release of the vehicle. The said deposit shall be without prejudice to the rights and contentions of the petitioner in the appeal. The appeal shall be filed within one (01) month from today. If within one (01) month from today the appeal is not filed by the petitioner, the respondents will be entitled to proceed for recovery of the penalty as claimed by them.

6. Writ Petition is accordingly disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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