

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

WRIT PETITION NO.1921 OF 2020

Yogesh Sahebrao Lokhande

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr A.B. Kharosekar, Advocate for petitioner

Mrs V.S. Choudhary, A.G.P. for respondents

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

DATE : 20th February 2020

ORAL ORDER :

1. The petitioner seeks release of vehicle. The vehicle is seized by the Talathi under panchnama dated 16.8.2019, i.e. prior to the notification amending the Section 48 of the Maharashtra Land Revenue Code giving powers to the authority below the Tahsildar to seize the vehicle.
2. The petitioner is also imposed with the fine and penalty.
3. As far as fine and penalty is concerned, the petitioner may file appeal.
4. Considering the fact that the seizure of the vehicle was by unauthorized person on the relevant date, we pass the following order.
5. The respondents shall release the vehicle of the petitioner bearing R.T.O. registration no.MH-20-EG-6628. The respondents may get the bond executed from the petitioner to their satisfaction. The petitioner shall deposit Rs.50,000/- with the respondents. The said deposit would be without prejudice to the rights and contentions of the parties and subject to the decision that would be taken by the appellate authority. The respondents may examine the genuineness of the documents and confirm the ownership of the petitioner.

6. In case the petitioner does not file an appeal within thirty days, then respondents may initiate steps to recover the entire amount and also repossess the vehicle.

7. Writ Petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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