

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

WRIT PETITION NO. 6365 OF 2020

Ravindra s/o Harischandra Nannavare and ...Petitioners
Anr.

Versus

The State of Maharashtra and Ors. ...Respondents

.....

Mr. Mahendra B. Kolpe, Advocate for the Petitioners

Mr. A.R.Kale, A.G.P. for Respondents No. 1 to 4

.....

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

DATE : 09-12-2020.

PER COURT :

01. The petitioners seek release of their vehicles.

02. Mr. Kolpe, the learned Counsel for petitioners submits that the vehicles are seized by the Police Officer. No F.I.R. has been lodged. The Police Officer could not have seized the vehicles under Sections 48(7) and 48(8) of the Maharashtra Land Revenue Code.

03. The learned A.G.P. submits that the two vehicles are involved in illegal transportation of sand.

04. The petitioners have remedy to file appeal. If no F.I.R. has been lodged, the Police Officer could not have seized the vehicles under Sections 48(7) and 48(8) of the Maharashtra Land Revenue Code.

05. In the light of above, we pass following Order :-

ORDER

01. The respondents shall release the vehicles seized from the petitioners bearing registration Nos. MH-10 AW-8181 and MH-11 AB-4668 upon confirming the ownership of the petitioners and verification of the documents. The respondents may get the bonds executed from the petitioners. The petitioners shall deposit an amount of Rs. 1,00,000/- towards each vehicle (total Rs. 2,00,000/-) with the respondents. The deposit of amount shall be without prejudice to the rights and contentions and subject to the decision that would be taken in appeal in case the petitioners file the same. In case the petitioners do not file appeal, against the

penalty within a month, the respondents may recover the entire amount of penalty from the petitioners.

02. The writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI]

JUDGE

[S.V.GANGAPURWALA]

JUDGE

Dahibhate/-