

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

WRIT PETITION NO. 6931 OF 2020

Mahadeo Pandharinath Khoje .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri A. B. Kharosekar, Advocate for the Petitioner

Shri S. K. Tambe, A.G.P. for the Respondent No. 1 to 5.

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

DATE : 16TH OCTOBER, 2020.

FINAL ORDER :

1. On 09th October, 2020, we had observed that, general allegations are made against the Revenue Officers as well as Police Officers to the effect that, if the demand is not fulfilled the vehicle would not be released. We asked Mr. Kharosekar, the learned advocate for the petitioner to give the dates when such demand was made and by which officer.

2. Affidavit is filed without giving details of the dates as to when the alleged demands were made.

3. Mr. Kharosekar, the learned counsel for the petitioner submits that, the petitioner would not press the averments of illegal demand made by the Revenue Officers and the Police Officers.

4. The petitioner cannot be irresponsible and make such unwarranted and baseless allegations. If allegations are specific, we may direct enquiry against those officers. The allegations are vague. Mr. Kharosekar, the learned advocate submits that, the petitioner apologizes for making such allegations against the officers.

5. It appears that wiser counsel has prevailed over the petitioner. We allow the petitioner to withdraw the allegations made against the Revenue and Police Officers of illegal demand and accept the apology.

6. Mr. Kharosekar, the learned counsel submits that, now final order has been passed. The petitioner would file an appeal. The petitioner may file an appeal as may be permissible in law.

7. In case, such an appeal is filed, the appellate authority shall decide the application of the petitioner for release of vehicle on its own merits, in accordance with law, expeditiously and preferably within a period of three (03) weeks from the date of filing of the appeal and application. All contentions of the petitioners on merits of the matter are kept open.

8. In the light of the above, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]