

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

111 WRIT PETITION NO. 7492 OF 2020

**MAROTI RATANROA GHUGARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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**Advocate for Petitioner: Mr. A B Kharosekar
AGP for Respondents: Mr. A. R. Kale**

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**CORAM: S. V. GANGAPURWALA &
SMT. VIBHA KANKANWADI, JJ.**

DATE: 01ST DECEMBER, 2020

PER COURT:

1. The present writ petition would be entertained only to the extent of seizure of the vehicle. As far as penalty is concerned, the petitioner may avail the alternate remedy.

2. The vehicle has been seized by the police officer. No F.I.R. has been lodged. The seizure, as such, under the provisions of the Maharashtra Land Revenue Code, 1966 would be only with the authority.

3. In light of that, we pass the following order.

4. The respondents shall release the vehicle seized by the police authority bearing registration no. MH - 17 - BY - 3128 after verifying the documents and confirming the ownership of the petitioner. The respondents may get the bond executed to their satisfaction. The petitioner shall also deposit an amount of Rs.1,00,000/- (Rs. One Lac only) with the authority. The same shall be without prejudice to the rights and contentions of either parties and subject to the decision that would be taken in appeal that may be filed by the petitioner against the imposition of penalty.

5. In case, the petitioner does not file any appeal within one (01) month from today, then the respondents are entitled to recover the amount of penalty.

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

[SMT. VIBHA KANKANWADI, J.] [S. V. GANGAPURWALA, J.]
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