

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

62 WRIT PETITION NO.14571 OF 2019

GULAB BHIMRAO NANNAVARE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Bhausaheb S. Deshmukh, Advocate for the
Petitioner.

Mr. S. B. Narwade, AGP for Respondents-State.

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**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 16th JANUARY, 2020.

PER COURT:-

1. The petitioner seeks release of vehicle. As far as fine and penalty is concerned, petitioner may avail the remedy of Appeal. The vehicle has been seized. The panchanama is not placed on record by the learned A.G.P. and the petitioner pursuant to which the vehicle is seized. The vehicle is seized on the ground of illegal excavation and transportation of sand.

2. Considering the above, we pass following order:

ORDER

(I) The respondents may release the vehicle of the petitioner bearing registration no. MH-19-Z-5762 after confirming the ownership of the petitioner and verifying

the genuineness of the documents. The respondents may get the bond executed to their satisfaction. The petitioner shall deposit Rs.75,000/- (Rs. Seventy Five Thousand Only) with respondents. The said amount shall be subject to the decision that would be taken by the Appellate Authority and without prejudice to the rights and contentions of either parties.

(II) If the petitioner does not file an Appeal within thirty days, then respondents are entitled to claim recovery and repossess the vehicle.

3. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE