

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

WRIT PETITION NO. 14760 OF 2019

Nagnath Bodala Londe

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri A. B. Kharosekar, Advocate for the Petitioner.

Shri A. R. Kale, A.G.P. for Respondent Nos. 1 to 5.

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

DATE : 29TH JANUARY, 2020.

FINAL ORDER :

. The learned counsel for the petitioner submits that, the vehicle of the petitioner bearing registration No. MH-12/PQ-8577 is seized by the respondent No. 5 and handed over to respondent Nos. 3 and 4 without any authority. It appears that, fine and penalty is also imposed upon the petitioner.

2. We had asked the learned Assistant Government Pleader to take instructions as to whether FIR has been registered against the petitioner. The learned A. G. P. on instructions submits that, FIR has not been registered in the present case.

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

4. The respondents shall release the vehicle of the petitioner

seized by the respondent No. 5 and handed over to respondent Nos. 3 and 4 bearing registration No. MH-12/PQ-8577 after confirming the ownership of the petitioner and the genuineness of the documents. The respondents may get bond executed from the petitioner to their satisfaction. The petitioner shall deposit an amount of Rs. 1,00,000/- (Rs. One Lac only) with the respondents. Said deposit would be without prejudice to the rights and contentions of the parties. As far as fine and penalty is concerned, the petitioner may avail remedy of appeal. If appeal is not filed within a period of 30 days, then the respondents may take further action with regard to repossession of the vehicle and recovery of fine amount.

5. In view of the above, the writ petition is disposed of. No costs.

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

bsb/Jan. 20