

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

WRIT PETITION NO. 15151 OF 2019

Vilas Dadarao Kendhale

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

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

Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 to 5.

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

DATE : 21ST JANUARY, 2020.

FINAL ORDER :

. The vehicle of the petitioner is seized by the Police Authorities on the ground of unauthorized transportation of sand.

2. On the last date we had asked the learned Assistant Government Pleader, whether any FIR has been registered against the petitioner or his driver. The learned A. G. P. on instructions submits that, no such FIR has been registered. Fine and penalty has been imposed upon the petitioner.

3. The petitioner may avail the remedy of appeal in that regard. No panchanama is also executed at the time of seizure of the vehicle.

4. The respondents may release the vehicle of the petitioner seized by the police authority bearing registration No. MH-21/BH-3535 after confirming the ownership of the petitioner and genuineness of the documents. The respondents may get the bond executed 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 petitioner and subject to the decision in appeal that may be filed by the petitioner.

5. In case, the petitioner does not file appeal within a period of 30 days from today, then the respondents are at liberty to recover the amount, so also repossess the vehicle.

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

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

bsb/Jan. 20