

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

WRIT PETITION NO. 15566 OF 2019

Abasaheb Babasaheb Chaudhari .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Shaikh Majit S., Advocate for the Petitioner.
Mrs. R. P. Gaur, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.
DATE : 06TH FEBRURY 2020.**

ORDER :

. The vehicle of the petitioner is seized on the ground of unauthorized transportation of mines and minerals.

2. We have heard the learned counsel for the petitioner and the learned Assistant Government Pleader for respondents/State.

3. The learned A. G. P. submits that, the petitioner has filed an appeal. The date is fixed on 11.02.2020. The learned counsel for the petitioner submits that, appeal is filed only against fine and penalty.

4. The learned counsel for the petitioner further submits that, vehicle has been seized by Awwal Karkun on 23.01.2018. He did not possess the authority on the said date to seize the vehicle.

5. Considering the above, we pass following order.

6. The respondents shall release the vehicle seized from the petitioner pursuant to the panchanama dated 23.01.2018 (Page No. 12) upon the petitioner depositing Rs. 50,000/- (Rs. Fifty Thousands only). The respondents are entitled to get the bond executed from the petitioner. The respondents shall confirm the ownership of the petitioner and verify the genuineness of the documents. The deposit of amount is without prejudice to the rights and contentions of the petitioner. The deposit of amount by the petitioner is also subject to the decision that would be taken in appeal by the appellate authority.

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

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

bsb/Feb. 20