

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2413 OF 2021

Kashinath S/o Dagdu Argade

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr Dhananjay Mane, Advocate holding for
Mr N.R. Pawade, Advocate for Petitioner
Mr P.K. Lakhotiya, A.G.P. for Respondent-State

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

DATE : 8th FEBRUARY, 2021

PER COURT :

1. The vehicle of the petitioner is seized purportedly on account of illegal excavation and transportation of the murum.
2. It is submitted that show cause notice was issued to the petitioner. The petitioner has filed say to the show cause notice, but the final order of penalty is not passed.
3. Respondent No. 3 shall pass the final order pursuant to the show cause notice issued by him within a period of three weeks from today.
4. Upon receipt of the final order of penalty, the petitioner is at liberty to file appeal against the order of penalty including relief of release of the vehicle.

5. In case the petitioner files an appeal then, the appellate authority shall decide the appeal on its own merits within a period of six weeks from the date of receipt of the appeal.

6. In case the petitioner deposits entire amount of penalty as was imposed by respondent No. 3, then respondent No. 3 may consider application for release of the vehicle on such terms and conditions as the respondent No. 3 may deem fit.

7. The writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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