

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

967 WRIT PETITION NO.8799 OF 2021

**SANDIP MACHINDRA MOHITE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner:
Mr. G. N. Kulkarni h/f. Mr. Khairnar Vinod S
AGP for Respondents: Mr. P. K. Lakhotiya

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**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE: 12th AUGUST, 2021

PER COURT:

1. The petitioner is challenging the order of seizure of vehicle.

2. We have heard the learned Counsel for the petitioner and the learned A.G.P. for the respondents.

3. It appears that the petitioner had the necessary royalty receipt. He also has E.T.P. pass number and also 10% royalty receipt as per the Government Resolution dated 05.02.2021. On the face of it, it appears, there was no deficiency. Now, the respondents are coming with the case that the petitioner's vehicle was found 5 Kms. away from the main road. The explanation is given that the same was for the change of driver.

4. It appears that even the authorities have come to the conclusion that the petitioner was possessing all the documents in order and there was no breach.

5. In light of that, we pass the following order.

ORDER

I] The respondents may release the vehicle of the petitioner after verifying the ownership of the petitioner and confirming the genuineness of the documents.

II] The respondents may get the bond executed from the petitioner as per their satisfaction.

III] As far as the penalty is concerned, the petitioner may avail the remedy of appeal.

6. With these observations, the writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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