

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 WRIT PETITION NO.2890 OF 2022

NARAYAN RADHAKISAN BHUSARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Advocate for Petitioner : Mr. A. R. Tapse
AGP for Respondent Nos.1 to 3-State : Mr. S. G. Sangle

...
CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.

DATE : 25th August, 2022

PER COURT :

1. On 18/08/2022, we had recorded the statements made by the learned Advocates for the respective sides and had passed the order, as under :-

(1) The stand of the revenue authorities is that the vehicle at issue was used in committing two offences.

(2) The learned advocate for the petitioner submits that the petitioner has no knowledge as regards the second offence.

(2) Having taken into consideration, a specific stand that second offence was never committed or that, the first offence prior to the present one at issue was never committed, we direct the learned AGP to place before us, the details as regards both the offences, if any.

(3) List this petition, in the passing orders category, on 25th

August, 2022.

2. The learned AGP informs us the following details :-

(A) In view of the first offence committed by the same vehicle, a notice was issued on 16/02/2018, by the Tahsildar of Georai.

(B) On 23/05/2018, the petitioner deposited the penalty amount of Rs.1,28,860/-.

(C) Since the same vehicle was once again involved in an offence (second offence), the petitioner deposited the penalty of Rs.1,27,146/- on 27/11/2019.

3. We could have, therefore, initiated an action against the petitioner for attempting to either suppress material information or mislead the Court.

4. The learned Advocate for the petitioner submits that since the petitioner has deposited the penalty amount on two occasions, he would avail of a remedy as may be permissible in law and this petition may be disposed off as withdrawn.

5. In view of the above, this petition is disposed off on instructions.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

vjg/-.