

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

49 WRIT PETITION NO.7043 OF 2022

SOMINATH YADAVRAO ADBANE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

...
Advocate for Petitioner : Mr. Abdul Quadir S. Auti h/f Mr. Gavhad
Dhananjay R.
AGP for Respondents-State : Mr. S. G. Sangle
...

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

DATE : 25th July, 2022

PER COURT :

1. The petitioner claims that respondent No.3 has seized his vehicle bearing No.MH-34/AV-2301.
2. We have considered the submissions of the learned Advocate for the petitioner and the learned AGP. A proceeding is already pending before respondent No.3. The petitioner has been directed to show cause as to why a penalty amount of Rs.3,50,000/- should not be recovered from him in the light of the purported illegal transportation of minerals. If the petitioner is found to be unconnected with any offence and if the vehicle is found to be not involved in any illegal

transportation, the Sub-Divisional Officer would be in a position to pass appropriate orders.

3. In view of the above, this petition is disposed off, with the following directions :-

(A) The petitioner would appear before respondent No.3/ authority on 05/08/2022 at 12.00 noon and address the said authority. All contentions are kept open. Written submissions are also permitted.

(B) Respondent No.3 would, thereafter, pass an appropriate order on or before 12/08/2022.

(C) If the order is adverse to the petitioner, the same shall contain reasons and shall be served upon the petitioner with promptitude.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

vjg/-.