

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 WRIT PETITION NO.9050 OF 2022

RASUL GUDDUBHAI SAYYED
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR AND
OTHERS

...
Advocate for Petitioner : Mr. V. P. Latange
AGP for Respondent-State : Mr. K. B. Jadhavar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 30th November, 2022

PER COURT :

1. The learned Advocate for the petitioner submits that his JCB machine has been attached and penalty of Rs.7,50,000/- approximately has been imposed upon him. The same has been upheld by the appellate authority. The petitioner has preferred Second R.T.S. Appeal No.351 of 2022 before the District Collector, Ahmednagar.

2. The learned Advocate for the petitioner further submits that he has deposited 25 % of the penalty amount before the Appellate authority and this Court had directed the Appellate authority to consider the release of the JCB machine within ten days. However, the

Appellate authority has passed final order without considering this case for release of JCB machine of the petitioner. As such he has also now moved an application for release of the JCB machine in Second R.T.S. Appeal No.351 of 2022.

3. The District Collector, Ahmednagar to decide the application for release of JCB machine on such terms and conditions it deems fit, in Second R.T.S. Appeal No.351 of 2022 within a period of two weeks from the receipt of this order.

4. With these directions, the writ petition is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.