

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 10175 OF 2022**

Somnath Bhagwat Rasal

... Petitioner

VERSUS

The State of Maharashtra,
Through It's Secretary And Others

... Respondents

.....
Mr. S. S. Shinde, Advocate for the Petitioner.
Mr. P. S. Patil, A.G.P. for Respondent- State.
....

**CORAM : RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, J.**

DATE : 11.10.2022

PER COURT :-

The petitioner's vehicle which has been seized on account of illegal excavation, has already suffered an order dated 09.06.2022 at the hands of respondent No.3 Sub-Divisional Officer. Statutory remedy of an appeal is available. The petitioner has already availed of the statutory remedy and the said appeal is pending.

2. In view of the above, this petition is disposed off.

3. Needless to state, all contentions of the petitioner would be considered by the appellate Court, including the

contention that the principles of natural justice were not adhered to when the vehicle was seized. We expect the appellate authority, to go through all the contentions of the petitioner, while passing a reasoned order.

4. In the event the petitioner is willing to pay any portion of the penalty, the appellate authority may consider imposing certain conditions for releasing the vehicle.

(SANJAY A. DESHMUKH)
JUDGE

(RAVINDRA V. GHUGE,)
JUDGE

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