

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

45 WRIT PETITION NO.11407 OF 2022

**PRAVIN DILIP JADHAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

...
Advocate for Petitioner : Mr. Wakure Sanjay A.
AGP for Respondents/State : Mr. S.B. Yawalkar
...

**CORAM : MANGESH S. PATIL &
Y.G. KHOBRADE, JJ.
DATE : 21-11-2022**

PC. :-

Heard the learned advocate for the petitioner. He is seeking a direction for release of his JCB seized by the revenue authorities in purported exercise of the powers under Section 48 (7) and (8) of the Maharashtra Land Revenue Code, 1966.

2. The learned advocate for the petitioner admits that already a statutory appeal has been preferred by the petitioner being aggrieved by the final order passed by the Tahsildar.

3. In view of such state of affairs, when the Appellate Authority is already seized of the matter, it would be appropriate that the Appellate

Authority considers the petitioner's prayer even for release of vehicle on its own merits.

4. We dispose of the writ petition directing the appellate authority to decide the application of the petitioner to be filed in the appeal pending before the Additional Commissioner for release of vehicle as early as possible and in any event within a period of four weeks from the date of receipt of the application.

[Y.G. KHOBRAGADE, J.]

[MANGESH S. PATIL, J.]