

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7447 OF 2021**

Salim Easak Khan

...Petitioner

Versus

The State of Maharashtra through Ld APP for the
State & Ors

...Respondents

**Mr Rajesh A Naik, with Puja Pilankar, for the Petitioner.
Mr RP Kadam, AGP, for the Respondent-State.**

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.
DATED: 19th January 2022**

PC:-

1. The Petitioner has filed a revised undertaking dated 18th January 2022. It is affirmed before the Section Officer of this Court. The undertaking is taken on record. We reproduce paragraph Nos. 1 and 2 of the undertaking:

“1. I had filed present Civil Writ Petition challenging the proceedings initiated with respect to seizure memo dated 23.09.2021 issued by Respondent No. 2 wherein my vehicle being Articulated Vehicle, Make / Model – Double Axle (Trailer) bearing Registration No.MH43Y 0 773 is detained by RTO Mumbai (hereinafter for the sake

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of brevity and convenience called and referred to as the said vehicle).

2. The matter was moved for urgent hearing on 17.01.2022 before Hon'ble Court of Justice Shri G.S. PATEL and Hon'ble Justice Shri MADHAV J. JAMDAR when this Hon'ble Bombay High Court has directed the Petitioner to file Undertaking before this Hon'ble Bombay High Court as under:

- i) I undertake that the said Vehicle shall not plied within the municipal limits of Greater Mumbai.
- ii) I undertake to take the said vehicle beyond the jurisdiction and local limits of the Greater Mumbai and shall not ply the same again in Greater Mumbai.
- iii) I undertake that I shall not bring said vehicle in the Municipal Limits of Greater Mumbai.
- iv) I undertake to deposit Rs. 25,000/- (Rupees Twenty-Five Thousand only) with Respondent No. 2, Regional Transport Officer-Mumbai (East) within a period as will be directed by this Hon'ble Court."

2. These undertakings are accepted as undertakings to the Court.

3. In view of this, and subject to the undertakings, the 2nd Respondent will release the vehicle. The Petitioner will remove the vehicle from Mumbai within 24 hours of the vehicle being released.

4. The Petition is disposed of in these terms.

5. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J)

(G. S. Patel, J)