

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3904 OF 2022

Srishail Bharmanna Mane .. Petitioner

Versus

The State of Maharashtra & others .. Respondents

Mr. Ajit Alange, Advocate for the Petitioner.

Mrs. M. P. Thakur, AGP for the State.

**CORAM : S. V. GANGAPURWALA AND
VINAY JOSHI, JJ.**

DATE : 05th APRIL, 2022.

P.C:

. The learned Counsel for the Petitioner submits that the vehicle of the Petitioner is seized by the authority, referring to Section 48(7)(8) of the Maharashtra Land Revenue Code. The learned Counsel submits that the procedure as contemplated under Section 48(7)(8) of the MLRC, is not adhered to. The learned Counsel submits that the penalty is also paid.

2. The learned AGP submits that earlier also the Petitioner had indulged in such activity, a bond was executed by him. It is also the case of breach of bond. The learned AGP further submits that the Petitioner has an

alternate remedy of an appeal under Section 247 of the MLRC.

3. In light of that, the writ petition is disposed of with liberty to the Petitioner to avail the alternate remedy. In that event, all contentions are kept open.

4. If the Petitioner files an appeal alongwith an application for release of vehicle, the authority where the appeal and the application will be filed, shall consider the application of the Petitioner for release of vehicle expeditiously preferably within one month from the date of filing. No costs.

(VINAY JOSHI, J.)

(S. V. GANGAPURWALA, J.)