

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.2269 OF 2022

(Amit Enterprises, thr. its Proprietor Amit s/o Sidharth Patil Vs. State of Maharashtra,
thr. the Collector, Nagpur and another)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. T. H. Bewali, Advocate for Petitioner.
Ms. T. H. Khan, AGP for Respondents 1 & 2/State.

CORAM: ROHIT B. DEO, J.

DATE: 27th APRIL, 2022.

The order impugned is passed in exercise of power under Section 48 (7) of the Maharashtra Land Revenue Code. The finding recorded by the Tahsildar, Hingna is that the petitioner was transporting 6 brass of sand illegally.

2. The submission is that the petitioner had as a fact paid royalty. I note from the order impugned that the Tahsildar has recorded that the petitioner has admitted the illegal transportation of sand. In any event, it would not be possible in writ jurisdiction to undertake the fact finding inquiry. The order impugned is appealable.

3. The petition is dismissed with liberty to the petitioner to avail the statutory remedy of appeal.

4. All contentions are left open.

JUDGE