

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

WRIT PETITION NO. 1891/2021

GAJANAN CHANDUSINGH DHUMANE
VS
STATE OF MAHARASHTRA AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.R. Ingole, Advocate for the petitioner
Ms. Mrunal Barbde, AGP for respondent nos. 1 to 4

CORAM : AVINASH G. GHAROTE, J.

DATED : 03/10/2022

Mr. A.R. Ingole, learned Counsel for the petitioner, while challenging the impugned order dated 02.06.2021, submits, that since the same has been passed by the learned Tahasildar, he did not have any jurisdiction under Section 48 (7) and (8) of the Maharashtra Land Revenue Code, 1966 (for short the "MLR Code"), to levy penalty upon the vehicle in question as that is the jurisdiction of the Collector or the Deputy Collector duly authorized by the Collector in this behalf under Section 48 (8)(2) of the MLR Code. This position, is not disputed by the learned AGP, consider which, the impugned order dated 02.06.2021 (page 18) in so far as, it relates to the imposition of penalty on the vehicle is quashed and set aside. No other ground is urged.

2. The writ is partly allowed to the above extent. No costs.

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JUDGE