

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

939 WRIT PETITION NO.314 OF 2023

**PRAVIN HIRAMAN BAVISKAR @ KOLI
VERSUS
THE STATE OF MAHARASHTRA
THROUGH PRINCIPAL SECRETARY AND OTHERS**

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**Advocate for Petitioner: Mr. Avinash M Reddy
AGP for Respondent/State: Mr. N. T. Bhagat**

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CORAM: ARUN R. PEDNEKER, J.

DATE: 28th FEBRUARY, 2023

PER COURT:

1. The learned AGP takes an objection to the writ petition and submits that there is an alternate remedy available under before the Sub-Divisional Officer under Section 247 of the Maharashtra Land Revenue Code, 1966.

2. In view of the same, the petitioner is permitted to withdraw the present writ petition and approach the Sub-Divisional Officer to challenge the impugned order dated 09.09.2022.

3. The learned counsel for the petitioner further submits that his vehicle bearing

no. GJ-05 YY-3366, has been attached and that no meaningful purpose would be served in keeping the vehicle in custody and he seeks release of the vehicle.

4. The vehicle of the petitioner be released on the condition that he deposits 75% of the demand amount of Rs.50,347/-. It is directed that on the deposit of the 75% of the amount stated above, the Truck of the petitioner be released within a period of three (03) working days, on such usual terms and conditions which are usually imposed.

5. The release would be in the event only if the auction has not taken place.

6. The Writ Petition is disposed of.

[ARUN R. PEDNEKER, J.]

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