

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

17 WRIT PETITION NO.3173 OF 2023

STERLING AUTOMOTIVES THROUGH ITS PARTNER SANJAY ANANDRAO
MAHAJAN
VERSUS
STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Petitioners : Mr. C.V. Thombre
AGP for Respondent/State : Mrs. V.N. Patil-Jadhav
...

CORAM : ARUN R. PEDNEKER, J.
DATED : 20/03/2023

PER COURT :

1. Heard the learned counsel for the petitioner.
2. The petitioner is challenging the order dated 2nd of March 2023 passed under Rule 35 of the Motor Vehicle Rules, 1989 by the respondent No. 4 – Motor Vehicle Inspector. The learned AGP submits that there is an appeal, remedy provided under Rule 45 of the said Rules.
3. In view of the objections raised by the learned AGP, the petition is disposed of, permitting the petitioner to raise his grievance by filing appeal under section 45 of the said Rules for challenging the impugned order.
4. In the event, the petitioner files appeal before the appellate authority, the same to be decided uninfluenced by any part of this order. So also, the time spent in the present writ petition be excluded in computing the period of limitation under section 14 of the Limitation Act.
5. With the above observations, the writ petition is disposed of.

[ARUN R. PEDNEKER J.]

ssc/