

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

17 WRIT PETITION NO.4461 OF 2023

NAVAL LILADHAR SNKOPAL
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY AND
OTHERS

...
Advocate for Petitioner : Mr. B.S. Deshmukh h/f. Mr. A.M. Pawar
AGP for Respondents : Mr. P.G. Borade
...

CORAM : ARUN R. PEDNEKER, J.
DATED : 02/05/2023

PER COURT :

1. Heard the learned counsel for the respective parties.
2. Mr. B.S. Deshmukh, learned counsel for the petitioner submits that the petitioner has purchased the vehicle in the year 2018 and bond was issued by the previous owner that the vehicle will not be used for transportation or in violation of mines and minerals policy. The learned counsel further submits that even on merits, he cannot be held liable and therefore, the earlier bond may not be fasten upon the petitioner.
2. However, the petitioner has alternate remedy available to challenge the impugned order before the Sub Divisional Officer.
3. The learned counsel for the petitioner submits that during the pendency of the proceedings the vehicle be released on payment of deposit of partial amount. Even this prayer can be made before the Sub Divisional Officer.
3. In view of the same, the learned counsel for the petitioner seeks leave of this Court to withdraw the present writ petition with liberty to challenge the impugned order before the Sub Divisional Officer. Petitioner

is permitted to withdraw the present writ petition with liberty to challenge the impugned order before the Sub Divisional Officer.

5. The writ petition is disposed of as withdrawn with liberty as above. All contentions are kept open.

6. In the event, prayer of release of vehicle is made before the authority, the same be decided within a period of one week from the date of receipt of this order. The authority may consider it compassionately looking into the fact that the earlier bond was given by the previous owner six years back.

[ARUN R. PEDNEKER J.]

ssc/