

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

23 WRIT PETITION NO.5065 OF 2023

DNYANESHWAR MACHHINDRA WAGH
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS COLLECTOR AND OTHERS

...
Advocate for Petitioner : Mr. K.D. Jadhav
AGP for Respondent/State : Mrs. V.N. Patil-Jadhav

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

PER COURT :

1. By this writ petition, the petitioner challenges the impugned order passed by the learned Sub Divisional Officer and also for release of the vehicle of the petitioner bearing registration No. MH-20/GK-3077.
2. The learned AGP submits that the petitioner has alternate remedy to challenge the impugned order before the Additional Collector. In view of the same, the petitioner is permitted to challenge the impugned order before the Additional Collector.
3. The learned counsel for the petitioner submits that his tractor is attached and that it be released during the pendency of the appeal proceedings as it is in nobody's interest to keep the vehicle in idle condition due to which damage is causing to the vehicle.
4. In view of the same, the petitioner is directed to deposit 50% amount of penalty amount as directed by Sub Divisional Officer. On the payment being made and on production of the receipt of the same the concerned Tahsildar is directed to release the tractor of the petitioner within three days of the order being produced on usual terms and conditions.

[ARUN R. PEDNEKER J.]

ssc/