

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

WRIT PETITION NO.7227 OF 2023

**GAURAV PRAKASH CHAUDHARY
VERSUS
TAHSILDAR, NANDURBAR AND OTHERS**

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Mr. R. S. Pawar, Advocate for Petitioner

Mr. V. M. Kagne, AGP for Respondent - State

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 04.07.2023

PER COURT :-

1. The Petitioner contends that his bank account held with the Union Bank of India, Nandurbar Branch i.e. account No.341502010024610 IFS Code - UBIN 0534153 has been frozen since an F.I.R. has been registered against him and a recovery of Rs.2,62,400/- in connection with sand excavation, is proposed. He submits that he is an elected Councilor and the business is operated by his father.

2. The learned Advocate for the Petitioner submits on instructions that the Tahsildar may communicate to the Union Bank of India, Nandurbar Branch to debit Rs.2,62,400/- from his account and transfer the same to the account as may be mentioned by the Tahsildar and thereafter de-freeze the said account. There is no further amount recoverable from the Petitioner for which the account has been frozen.

3. We are of the view that this petition cannot be entertained by this Court considering the cause of action and the statutory remedy available. However, since the Petitioner volunteers that the entire amount be debited from his account and thereafter the bank account may be de-frozen, that we are accepting the said request in the interest of justice and kindness.

4. **This petition** is, therefore, **disposed off** with the following observations.

- (a) As per the statement, the Tahsildar shall inform the Union Bank of India, Nandurbar Branch in terms of this order.

- (b) The Branch Manager shall debit the amount of Rs.2,62,405/- from the account of the Petitioner, which is frozen, and credit the same to the account as is mentioned by the Tahsildar i.e. Government account / Treasury, etc.. Thereafter, the account of the Petitioner shall be de-frozen.
- (c) The Petitioner shall reply to the show cause notice dated 11.05.2023, if not already responded to, within a period of fifteen (15) days from today.
- (d) If a reply is filed within fifteen days, the concerned authority would pass a reasoned order in the light of the provisions of law applicable, within thirty days.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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