

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

WRIT PETITION NO. 9277 OF 2023

Prashant Dilip Patil

.. Petitioner

Versus

The Tahsildar,
Tahsil Office Jamner,
Tq. Jamner, Dist. Jalgaon

.. Respondent

Mr. Narendra D. Sonavane, Advocate for the Petitioner.
Mr. S. B. Pulkundwar, AGP for Respondent.

CORAM : KISHORE C. SANT, J.

DATED : 11th AUGUST, 2023.

P C. :-

. In this case, the petitioner is challenging only the show cause notice issued by the learned Tahsildar dated 07.07.2023 as to why no action be taken. Only notice dated 07.07.2023 is challenged issued by the learned Tahsildar imposing fine of Rs. 2,00,000/- for use of vehicle as well as Rs. 55,713/- towards fine for illegal transportation of sand and Rs. 1500/- towards royalty.

2. However, during the course of hearing it is informed by the learned A.G.P. that, now the learned Tahsildar has issued fresh notice dated 04.08.2023 whereby, learned Tahsildar has now issued notice only for the amount of fine towards transportation of minor minerals.

Thus, the question of notice by the learned Tahsildar to the extent of proposed action in respect of fine towards use of vehicle is dropped at his level. The file is submitted to the learned S.D.O.

3. In this view of the matter, the writ petition has become infructuous. The vehicle can be directed to be release on deposit of amount of Rs. 57,213/- subject to undertaking that, if learned S.D.O. passes an order, the release of vehicle would be subject to outcome of proceeding, if any, taken by the learned S.D.O. till it attains finality.

4. The vehicle of the petitioner be released on deposit of amount of Rs. 57,213/- subject to undertaking as above.

5. The petitioner would also file an undertaking that he would abide by the order if passed pursuant to the fresh action, if any, taken by the authorities. The vehicle shall not be used hereinafter for any illegal purpose in the similar activity without authorization. Till the action is finally disposed off he shall not transfer the vehicle. The said undertaking be filed before the authorities within a period of two (02) weeks from today by filing copy in this Court.

6. With this, the writ petition stands disposed off.

(KISHORE C. SANT, J.)

P.S.B.