

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

917 WRIT PETITION NO.13060 OF 2023

**RAHUL KAILASH GAVANDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

...
Advocate for Petitioners : Mr. A.B. Kharosekar
AGP for Respondents 1 to 4 : Mrs. R.P Gaur
...

**CORAM : ARUN R. PEDNEKER, J.
DATED : 26/10/2023**

PER COURT :

1. Heard the learned counsel for the parties.
2. The learned AGP submits that final orders are passed in the matter by the revenue authority and in view of the same, the present writ petition can be disposed of with liberty to the petitioner to challenge the final order before the appropriate authority.
3. The learned counsel for the petitioner submits that his vehicle is detained for last two months and seeks release of his vehicle. The learned counsel also seeks liberty to file an appeal before the appropriate authority to challenge the final order passed by the concerned authority.
4. The writ petition is disposed of with liberty to the petitioner to approach the appellate authority to challenge the final order and seek to release of vehicle by filing interim application in the appeal.
5. The learned counsel for the petitioner has pointed out the order dated 19.10.2023 passed by this Court in Writ Petition No. 12567/2023, (Pandit Bhimrao Patil Vs. The State of Maharashtra and Ors.), wherein this Court has directed that in terms of provision of sections 255 and 256 of the Maharashtra Land Revenue Code, the vehicle can be released on deposit of

25% of the amount of vehicle.

6. The appropriate authority to take into consideration the provisions of section 255 and 256 of the Maharashtra Land Revenue Code and pass appropriate orders in accordance with law on the interim application filed for release of the vehicle by the petitioner within seven days from the date of filing of the application. The authority to decide the appeal in accordance with law as expeditiously as possible.

[ARUN R. PEDNEKER J.]

ssc/