

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

WRIT PETITION NO.13035 OF 2023

**RAUF REHMAN SHAIKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND ANOTHER**

**AND
WRIT PETITION NO.13053 OF 2023**

**SWAPNIL RAJENDRA SONAWANE
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND ANOTHER**

**AND
WRIT PETITION NO.13109 OF 2023**

**LAXMAN SHAMRAO GUND
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND ANOTHER**

**AND
WRIT PETITION NO.12153 OF 2023**

**SHANKAR SUBHASH PAWAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER**

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Mr. B. S. Deshmukh, Advocate for Petitioners
Mr. P. K. Lakhotiya, AGP for Respondent – State

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

DATE : 20.10.2023.

PER COURT :-

1. All the Petitioners are identically placed.
2. The Petitioner in Writ Petition No.13035 of 2023 has put forth prayer clause [B] as under:-

“[B] The Hon’ble High Court may be pleased to issue a writ of Mandamus or any other appropriate writ, direction or order, thereby direct the respondent No.2 to re-calibrate of vehicle no. MH-20-GC-2177 as requested by petitioner and further be directed that, if the weight found upto permissible limit, then the respondent no.2 shall release the vehicle immediately by recalling the impugned show cause notice issued by respondent no.2 dtd. 03/10/2023 and consequential order, if any passed in furtherance.”

3. The Petitioner in Writ Petition No.13053 of 2023 has put forth prayer clause [B] as under:-

“[B] The Hon’ble High Court may be pleased to issue a writ of Mandamus or any other appropriate writ, direction or order, thereby direct the respondent authority to re-calibrate of vehicle no. MH-41-AT-7778 as requested by petitioner and further be directed that, if the weight found upto permissible limit, then the respondent authority shall release the vehicle immediately by recalling the impugned show cause notice issued by respondent no.2 dtd. 25/09/2023 and consequential order, if any passed in furtherance.”

4. The Petitioner in Writ Petition No.13109 of 2023 has put forth prayer clause [B] as under:

“[B] The Hon’ble High Court may be pleased to issue a writ of Mandamus or any other appropriate writ, direction or order, thereby direct the respondent No.2 to re-calibrate of vehicle no. MH-13-DQ-9609 as requested by petitioner and further be directed that, if the weight found up to permissible limit, then the respondent no.2 shall release the vehicle immediately by recalling the impugned show cause notice issued by respondent no.2 dtd. 03/10/2023 and consequential order, if any passed in furtherance.”

5. The Petitioner in Writ Petition No.12153 of 2023 has put forth prayer clause [B] as under:-

“[B] The Hon’ble High Court may be pleased to issue a writ of Mandamus or any other appropriate writ, direction or order, thereby direct the respondent authority to re-calibrate of vehicle no. MH-41-AU-9994 as requested by petitioner vide his representation dated 14/09/2023 and further be directed that, if the weight found up to permissible limit, then the respondent authority shall release the vehicle immediately by recalling the impugned show cause notice of penalty issued by respondent no.2 dtd. 13/09/2023.”

6. Considering the orders passed by this Court in several identical matters, **these petitions are disposed off.**

7. The concerned Tahsildar would carry out the re-calibration of the concerned vehicle on 30/10/2023 upto 5.00 p.m. Needless to state, if the weight of the vehicle is within the permissible limits, the same will be released by following the due procedure of law.

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

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