

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

916 WRIT PETITION NO.13811 OF 2023

SHAIKH MAHEBUB SHAIKH KAYYUM
VERSUS
THE STATE OF MAHARASHTRA THR ITS PRINCIPAL SECRETARY AND ORS

...
Advocate for Petitioner : Mr. B.S. Deshmukh
AGP for Respondents : Mrs. R.P. Gaur

...
CORAM : ARUN R. PEDNEKER, J.
DATED : 01/11/2023

PER COURT :

1. Heard the learned counsel for the parties.
2. The learned AGP submits that there is an alternate remedy available to the petitioner to file appeal before the Additional Divisional Commissioner under section 247 of the Maharashtra Land Revenue Code.
3. The learned counsel for the petitioner has taken me through the provision of section 256 of the Maharashtra Land Revenue Code wherein it is provided that stay can be granted on deposit of 25% of the amount of the order and the vehicle can be released by this Court.
4. The learned counsel for the petitioner is at liberty to make the submissions with regard to sections 256 of the Maharashtra Land Revenue Code and all other submissions before the appellate authority for release of the vehicle and the appellate authority to decide the appeal if such appeal is filed.
5. The learned counsel for the petitioner submits that the application for release of vehicle has been filed before the appellate authority. The appellate authority to decide the application filed by the petitioner for release of vehicle within a period of two weeks from the date of filing of the application in accordance with law taking into consideration all the legal provisions. The writ petition is disposed of accordingly.

[ARUN R. PEDNEKER J.]

ssc/