



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

9 WRIT PETITION NO. 13845 OF 2023

MURLIDHAR HARIBHAU DHADGE

VERSUS

THE STATE OF MAHARASHTRA

THROUGH ITS SECRETARY AND OTHERS

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Advocate for Petitioner:

Mr. Apparao Bhimrao Kharosekar

AGP for Respondent/State: Mr. R. S. Wani

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CORAM : ARUN R. PEDNEKER, J.

DATE : 18th DECEMBER, 2023

PER COURT:

1. Heard.

2. The learned counsel for the petitioner submits the vehicle of the petitioner is seized on 22.08.2023 for carrying minor mineral without valid pass and that it is lying unutilized for a long period of time and that the vehicle be released on appropriate conditions and makes a prayer for release of the vehicle. The learned counsel for the petitioner submits that the final order is passed by the revenue authority dated 15.10.2023.

3. The learned AGP opposes the writ petition contending right of appeal under section 247 of the Maharashtra Land Revenue Code, 1966 available against the said final order dated 15.10.2023.

4. In view of the submissions made by the learned AGP, the learned counsel for the petitioner seeks leave to withdraw the present writ petition with liberty to challenge the order dated 15.10.2023, before the appropriate authority.

5. Liberty is granted to the petitioner to apply for release of vehicle in the appeal to be filed before the appellate authority with the application for release of vehicle.

6. The appellate authority to decide the application filed within two (02) weeks of the filing of the application for release of the vehicle. The appellate authority to take into consideration all the relevant provisions of the Maharashtra Land Revenue Code, 1966 while deciding the application for release of the vehicle.

7. The writ petition stands disposed of.

8. The parties to act upon the authenticated copy of this order.

[ARUN R. PEDNEKER, J.]

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