



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

42. WRIT PETITION NO.13828 OF 2023

Deepak s/o. Rohidas Salunke,
Age: 30 Years, Occu : Business,
R/o : Khandarmalwadi,
Post Nandur – Khandarmal,
Taluka Sangamner,
District Ahmednagar.

.. PETITIONER

VERSUS

- 1] The State of Maharashtra,
Through it's Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai 400 032
- 2] The Collector,
Collector Office, Ahmednagar
- 3] The Sub Divisional Officer,
Sangamner, Taluka Sangamner,
District Ahmednagar.
- 4] The Tahsildar,
Tahsil Office, Sangamner,
Taluka Sangamner, District Ahmednagar.
- 5] The Police Inspector,
Police Station, Ghargaon,
Taluka Sangamner, District Ahmednagar.

.. RESPONDENTS

...

Mr.A.B.Kharosekar, Advocate for the petitioner
Mrs.M.L.Sangit, AGP for the respondent-State

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 11.12.2023

ORAL JUDGMENT :

1] Rule. Rule made returnable forthwith and heard finally.

2] The petitioner has challenged the impugned panchnama / order dated 13.06.2023 whereby the petitioner's vehicle carrying khadi has seized by the revenue authorities.

3] The learned counsel for the petitioner submits that *khadi* is not a minor mineral and the same has been held by this Court in various Judgments. The learned counsel relies upon the judgment in the case of **Vishal Laxman Shinde Vs. The State of Maharashtra & others** in Writ Petition No.8194 of 2022, decided on 25th August, 2022. It has been followed in other cases also.

4] The learned AGP for the respondent – State does not dispute that the vehicle was carrying Khadi as reflected in the panchanama.

5] In view of the same, the impugned panchnama / order dated 13.06.2023 is quashed and set aside. The Authority concerned is directed to release the vehicle bearing Registration No.MH-16-CC-4095 within three [03] days from the date of production of this order before the authority concerned.

6] Rule is made absolute in above terms. Writ Petition is disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE

DDC