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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

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VASANT ANANDRAO
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Date: 2023.03.30
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WRIT PETITION NO.3102 OF 2023

Shahaji V. Rakibe & Ors.

...Petitioners

V/s.

The State of Maharashtra & Anr.

...Respondents

Mr.Bhausahab B. Deshmukh with Mr.Deepak Pote and Mr.Anshuman Deshmukh for the Petitioners.

Ms.M.S. Bane, AGP for the State – Respondent.

CORAM : R.D. DHANUKA &
GAURI GODSE, JJ.
DATE : 28TH MARCH, 2023.

P.C. :-

1. Rule. Learned AGP waives service. Rule is made returnable forthwith. Learned counsel for the Petitioners states that his clients undertake to pay 50% of the amount awarded by the impugned orders without prejudice to the rights of the Petitioners to file an Appeal against the impugned orders passed under the provisions of the Maharashtra Land Revenue Code, 1966. Learned counsel states that an Appeal would be filed within two weeks from today. Undertaking is accepted.
2. Upon tendering the amount without prejudice to the rights

of the Petitioners, the Respondent No.2 shall accept the said amount also without prejudice to the rights and contentions and shall release the vehicles described in prayer clause (B) of the Petition within 48 hours from the date of the Petitioner depositing the said amount.

3. It is made clear that this Court has not expressed any view on the merits of the orders passed by the Respondents and the same would be subject matter of the Appeal that would be preferred by the Petitioners. All contentions of all the parties are kept open.

4. It is made clear that if the 50% amount is not paid within a period of two weeks from today with the Respondent No.2, the protection granted by this Court for release of the vehicles to stand vacated without further reference to the Court. In that event, the Respondent No.2 would be at liberty to take further steps in respect of the vehicles that are seized under the provisions of the Maharashtra Land Revenue Code, 1966.

5. The Writ Petition is disposed off in aforesaid terms. Rule is made absolute. No order as to costs. All concerned parties to act on the authenticated copy of this order.

(GAURI GODSE, J.)

(R.D. DHANUKA, J.)