

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1061/2023

Amresh Ashok Jaiswal

...Versus...

State of Maharashtra, through its Secretary, Revenue and Forest Department,
Mantralaya, Mumbai – 32 and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri A.R. Ingole, Advocate for petitioner
Mrs. M.A. Barabde, AGP for respondents

CORAM : AVINASH G. GHAROTE, J.

DATE : 16/02/2023

1. Heard Shri Ingole, learned counsel for the petitioner.
2. Issue notice for final disposal to the respondents, returnable forthwith.
3. Assistant Government Pleader Mrs. M.A. Barabde waives service of notice for the respondents.
4. The petition challenges the order dated 06/02/2023 (pg.23), whereby a penalty of Rs.7,600/- has been imposed for illegal transportation of minor mineral.
5. Shri Ingole, learned counsel for the petitioner makes a statement that the penalty shall be deposited with the Tahsildar, Hingna by tomorrow.

6. Statement is accepted. In case the penalty of Rs.7,600/- is deposited with the Tahsildar, Hingna by tomorrow, the Tahsildar, Hingna shall release the vehicle, in case no proceedings are pending before the Sub-Divisional Officer, for imposition of penalty on the vehicle.

7. The writ petition is allowed in the above terms. No order as to costs.

8. It is made clear that in case the said vehicle is found to be involved in similar offence again, the authorities will be justified in confiscation of the same.

(AVINASH G. GHAROTE, J.)

Wadkar