

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

WRIT PETITION NO. 1820 OF 2023

Hafiz Khan Habib Khan Pathan __ Vs. __ State of Maharashtra and ors

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

Court's or Judge's orders

Mr. S.I.Khan, Advocate for petitioner
Ms. T.H.Khan, AGP for respondent Nos. 1 to 4

CORAM : AVINASH G. GHAROTE, J.
DATE : 23/03/2023

- 1] Heard Mr. Khan, learned counsel for the petitioner.
- 2] Issue notice for final disposal returnable forthwith.
- 3] Learned AGP waives notice for all the respondents.
- 4] Heard finally by consent of the learned counsel for the parties.
- 5] Mr. Khan, learned counsel for the petitioner on instructions restricts his challenge to the imposition of penalty by the Tahsildar upon the vehicle by the impugned order 28.11.2019.
- 6] Since the penalty has been imposed by the Tahsildar, which is not permissible, as the authority to do so is with the Collector, that part of the order dated 28.11.2019 cannot be sustained and is hereby quashed and set aside.

7] The petition is allowed to the aforesaid extent. No costs.

JUDGE

Rvjalit