

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

WRIT PETITION NO.1485/2023

Kishore s/o Vasant Rao Barde

...Versus...

State of Maharashtra through its Secretary Deptt. of Revenue and Forest,
Mantralaya, Mumbai and another

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

Court's or Judge's orders

Shri K.A. Kothari, Advocate for petitioner
Shri N.R. Patil, AGP for respondents

CORAM : AVINASH G. GHAROTE, J.

DATE : 09/03/2023

1. Heard Shri K.A. Kothari, learned counsel for the petitioner.
2. Issue notice to the respondents for final disposal of the matter, returnable forthwith.
3. Assistant Government Pleader Shri N.R. Patil waives service of notice for the respondents/State.
4. The petition challenges the order dated 23/02/2023 (pg.17), whereby a penalty of Rs.37,440/- has been imposed for illegal transportation of sand.
5. It is contended that the penalty has already been paid by a challan (pg.19) and therefore, the vehicle be

released. The challan at page 19 indicates payment of penalty of Rs.37,440/-, considering which, the Tahsildar, Parseoni is directed to release the vehicle in the custody of the petitioner within 24 hours of the receipt of this order, in case no proceedings are pending before the Sub Divisional Officer for imposition of penalty of the vehicle.

6. The writ petition is disposed of in the above terms.
No order as to costs.

7. 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